

1 **COMP**

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7 austinc@gtlaw.com

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13 *Counsel for Plaintiffs***COPY**

Aug 28 3 15 PM '09

CLERK COURT

8 **DISTRICT COURT**9 **CLARK COUNTY, NEVADA**10 ASSET RESOLUTION, LLC, a Delaware  
11 limited liability company, SILAR ADVISORS,  
12 LP, a Delaware limited partnership, and SILAR  
13 SPECIAL OPPORTUNITIES FUND, LP, a  
14 Delaware limited partnership,

Case No.

Dept No.

A-09-578/105-B  
XXV**COMPLAINT**

13 Plaintiffs,

14 vs.

15 DONNA CANGELOSI, an individual resident  
16 of Nevada, LENDER 2 LENDER, LLC, a  
17 Nevada limited liability company, FDH  
18 Resolution Company, LLC, a Nevada limited  
19 liability company, CHARLES B. ANDERSON  
20 TRUST, created in Michigan, RITA P.  
21 ANDERSON TRUST, created in Michigan,  
22 BATES COMPANY, incorporated in  
23 Michigan, KEHL DEVELOPMENT  
24 CORPORATION, incorporated in Iowa,  
25 MOJAVE CANYON INC., incorporated in  
26 Nevada, DEATH VALLEY ACQUISITIONS,  
27 LLC, a Nevada limited liability company,  
28 WARREN HOFFMAN FAMILY  
INVESTMENTS, LP, a limited partnership  
formed in Iowa, PATRICK J. ANGLIN, an  
individual resident of Illinois, JUDY A.  
BONNET, an individual resident of Illinois,  
CHRISTINA M. KEHL, an individual resident  
of Illinois, DANIEL J. KEHL, an individual  
resident of Iowa, KEVIN A. KEHL, an  
individual resident of Iowa, KEVIN KEHL AS  
GUARDIAN OF ANDREW KEHL, an  
individual resident of Iowa, KEVIN KEHL AS  
GUARDIAN OF SUSAN L. KEHL, an  
individual resident of Iowa, KRYSTINA L.GREENBERG TRAURIG, LLP  
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1 KEHL, an individual resident of Illinois,  
2 ROBERT A. KEHL & TINAM. KEHL,  
3 individual residents of Illinois, ROBERT J.  
4 KEHL & RUTH ANN KEHL, individual  
5 residents of Nevada, KEVIN MCKEE, an  
6 individual resident of Iowa, PAMELA J.  
7 MCKEE, an individual resident of Iowa,  
8 CYNTHIA WINTER, an individual resident of  
9 Iowa, LENDER 2 LENDER, LLC, a Nevada  
10 limited liability company, FDH Resolution  
11 Company, LLC, a Nevada limited liability  
12 company, STAN TARA, an individual resident  
13 of Nevada, CHARLES MARADEN, an  
14 individual resident of Nevada, ROBERT  
15 BERRY, an individual resident of Nevada, JOE  
16 LAFAYETTE, an individual resident of  
17 California, ARTHUR KRISS, an individual  
18 resident of Utah, CYRIL TAMMADGE, an  
19 individual resident of California, ROBIN  
20 GRAHAM, an individual resident of California,  
21 PATSY REIGER, an individual resident of  
22 Nevada, TERRY MARKWELL, an individual  
23 resident of Nevada, CAROL SIMON, an  
24 individual resident of Nevada, LE ANN  
25 APIGIAN, an individual resident of  
26 Washington, CONNIE WESTBROOK, an  
27 individual resident of Nevada, JONATHAN  
28 ELLER, an individual resident of California,  
DANIEL NEWMAN, an individual resident of  
Arizona, DON HESS, an individual resident of  
California, KEN ZAWACKI, an individual  
resident of California, WALTER MUSSO, an  
individual resident of California, STEVEN  
KOWALSKI, an individual resident of  
California, JANICE LUCAS, an individual  
resident of California, BRIGITTE KANEDA,  
an individual resident of California, CINDEE  
DAVIS, an individual resident of Nevada,  
BILL DENNY, an individual resident of  
California, ED BURGESS, an individual  
resident of Nevada, DOMINIQUE NAYLON,  
an individual resident of California, TITO  
CASTILLO, an individual resident of Florida,  
CAROL KESLER, an individual resident of  
Utah, LAWRENCE TENGAN, an individual  
resident of Nevada, ALFIE FUJITANI, an  
individual resident of Nevada, NANCY  
TURNER, an individual resident of Oregon,  
EDWARD SCHOONOVER, an individual  
resident of Washington, BUCK WAHL, an  
individual resident of California, VICTORIA  
CONWAY, an individual resident of  
California, ROBERT FULLER, an individual  
resident of Nevada, LINDA DOERR, an  
individual resident of Nevada, MAUREEN

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1 HJELTE, an individual resident of California,  
 2 CRAIG WISCH, an individual resident of  
 3 Connecticut, GLEN SHAKE, an individual  
 4 resident of Indiana, TONY CHAUDHRY, an  
 5 individual resident of Washington, KEVIN  
 6 OLSON, an individual resident Nevada,  
 7 ROBERT BENDER, an individual resident of  
 8 California, CHRISTINA KNOLES, an  
 9 individual resident of Colorado, RODGER W.  
 10 STUBBS, an individual resident of Florida, 1-3  
 11 Enterprises LLC., an entity of unknown origin;  
 12 1823 Corporation, a California corporation;  
 13 1995 Tobe Eugene Stricklin & Barbara  
 14 Stricklin Revocable Trust dated 4/11/95; 1996  
 15 Knobel Trust dated 9/5/96; 1996 Scafidi  
 16 Childrens Trust dated 6/27/96; Phillips Family  
 17 Trust dated 10/24/89; A. Andrew Schwarzman  
 18 IRA; Phillips Family Trust dated 10/24/89; A-1  
 19 Casters & Equipment Reno, L.L.C., an entity of  
 20 unknown origin; Aaron Hawley, an individual;  
 21 Osherow Trust dated 9/11/89; Abraham  
 22 Serouya, an individual; Acres Corporation a  
 23 Nevada corporation; Acres Corporation  
 24 Defined Benefit Pension Plan; Acres Profit  
 25 Sharing Plan; ACS Properties, Inc., A Florida  
 26 Corporation; Action Sports Alliance USA Inc. a  
 27 Nevada corporation; Adam L. Fattedy, an  
 28 individual; Al-Awar Living Trust; Adrian J.R.  
 Oosthuizen, an individual; KM Trust; Murray  
 Trust; B.A.B.S., Inc. Trust; Al Kraus, an  
 individual; Katrina Kraus, an individual;  
 Michael Family Trust dated 12/14/03; Alan B.  
 Friedman, an individual; Alan G. & Patty J.  
 Dondero 1992 Revocable Trust; Alan Groh  
 IRA; Alan M Markus, an individual; Trena L  
 Markus, an individual; Alan Robinson, an  
 individual; Gail Robinson, an individual; Alan  
 S & Carolyn A. Duncan Declaration of Trust  
 dtd 09-03-98; Simon Family Trust 2000; Albert  
 Daniel Andrade, an individual; Albert J.  
 Mineconzo Living Trust dated 11/4/97; Albert  
 M. Arechiga, an individual; Albert Winemiller,  
 an individual; Debra Winemiller, an individual;  
 Albert Winemiller Inc., an entity of unknown  
 origin; Albert Winemiller Limited Partnership,  
 an entity of unknown origin; Aldon G. Cook,  
 an individual; Deedra Cook, an individual;  
 APG Trust dated 7/5/00; Alexander P.  
 Rayment, an individual; Maria A. Rayment, an  
 individual; Alexander W. Marchuk, an  
 individual; Doreen W. Marchuk, an individual;  
 Tennariello Revocable Trust; Honikman 1993  
 Trust dated 2/19/93; Alice Shepherd, an  
 individual; The Alice Shepherd Trust; Alicia  
 McBride, an individual; Marion McBride, an

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1 individual; Herd Family Trust dated 4/23/90;  
 2 Mault Family Trust; Allen K. Forbes, an  
 3 individual; Allen M. Nirenstein & Dorothy H.  
 4 Nirenstein 1992 Revocable Trust dated 3/4/92;  
 5 Allen Zalkind, an individual; Sandra Zalkind,  
 6 an individual; Alma B. Moore, an individual;  
 7 Alneil Associates, an entity of unknown origin;  
 8 Alneil Lipp LLC, an entity of unknown origin;  
 9 Paul G. Chelew Charitable Remainder Unitrust  
 10 III; Alta Funding, Inc., A Florida Corporation;  
 11 Alterio A.G. Banks Living Trust dated 2/13/96;  
 12 Althea F. Shef Living Trust dated 5/1/03;  
 13 Alvaro V. Perez, an individual; Heidi L. Perez,  
 14 an individual; Alvin Broido Marital Trust U/A  
 15 dated 4/224/72; Amberway Equities LLC, an  
 16 entity of unknown origin; Alvin M. Swanson &  
 17 Grace E. Swanson Family Trust dated 9/14/94;  
 18 Andrew Dauscher, an individual; Ellen  
 19 Dauscher, an individual; Andrew H. Shahin  
 20 Trust dated 6/6/94; Andrew R. Peterson &  
 21 Sharns Peterson 1991 Living Trust dated  
 22 11/22/91; Andrew R. Kehl UNVUTMA;  
 23 Angela G. Mosinskis Family Trust dated;  
 24 Angela Jane Deglandon, an individual; Angela  
 25 S. Snyder, an individual; Ann R. Dery, an  
 26 individual; James D. Dery, an individual; Anna  
 27 Lacertosa, an individual; Marie Lacertosa, an  
 28 individual; Abrams Living Trust dated  
 10/23/96; Anne F. Di Salvo, an individual;  
 Annee Nounna Family Trust; Acres Profit  
 Sharing Plan; Rehberger Family Trust dated  
 6/17/92; Rehberger Family Trust dated 6/17/93;  
 Acres Corporation, A Nevada Corporation;  
 Anthony J Zerbo, an individual; Anthony P.  
 Wynn, an individual; Sheri J. Wynn, an  
 individual; Anthony & Nancy Prescia Family  
 Trust 101321229; The Gambello Trust; Anton  
 Trapman, an individual; Alamo Family Trust  
 dated 12/30/86; Aprille J. Pihl, an individual;  
 Weible 1981 Trust dated 6/30/81; Area 2 LLC,  
 a Nevada limited liability company; Arlene  
 Beadle, an individual; Arlene J. Fine IRA;  
 Arline L. Crank & Edward H. Davies Living  
 Trust dated 6/27/03; Alves Family Trust dated  
 10/27/89; Arnold Rosenthal, an individual;  
 Arnold Stairman Profit Sharing Plan; Arthur E.  
 Kebble & Thelma M. Kebble Family Trust  
 dated 5/19/95; Schnitzer Living Trust dated  
 10/29/91; Arthur Polacheck, an individual;  
 Glorianne Polacheck, an individual; Arthur T.  
 Donaldson, an individual; Arthur V. Adams  
 Trust dated 9/12/97; Athanasia T. Stein, an  
 individual; The Roe Living Trust dated  
 2/14/95; Audrey M. Whightsil Revocable  
 Living Trust; August J. Amaral, Inc., a Nevada

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1 corporation; Aurora Investments Limited  
 2 Partnership, an entity of unknown origin;  
 3 Aylene Geringer, an individual; Mark Zipkin,  
 4 an individual; B & W Precast Construction,  
 5 Inc., A California Corporation; B2PW, an  
 6 Oregon Partnership; Bay Area Capital, LLC, an  
 7 Oregon LLC; Barbara A. Cecil IRA; Barbara J.  
 8 Kewell Trust dated 7/18/89; Barbara J.  
 9 Speckert Revocable Living Trust dated 6/19/05;  
 10 Barbara L. Gunther, an individual; The Barbara  
 11 M. Sanchez 2002 Revocable Living Trust dated  
 12 4/4/02; The Barbara M. Sanchez 2002  
 13 Revocable Living Trust dated 4/4/03; The  
 14 Barbara M. Sanchez 2002 Revocable Living  
 15 Trust dated 4/4/04; The Barbara M. Sanchez  
 16 2002 Revocable Living Trust dated 4/4/06; The  
 17 Barbara M. Sanchez 2002 Revocable Living  
 18 Trust dated 4/4/05; Barbara Sklar Revocable  
 19 Living Trust dated 8/31/01; Barbara Sue Luthi  
 20 IRA; Barbara Susan Malkoff, an individual;  
 21 Barnhart Family Trust dated 10/2/92; Baron  
 22 Family Trust; Barton R. Wilkinson, an  
 23 individual; Dianna L. Wilkinson, an individual;  
 24 Basil Honikman, an individual; Linda  
 25 Honikman, an individual; Basko Revocable  
 26 Trust dated 7/21/93; Becht Borggrebe Trust;  
 27 The Benz Family Trust dated 7/14/95; Ben  
 28 Lofgren, an individual; Dana Lofgren, an  
 individual; Benita M. Rashall, an individual;  
 Benjamin & Aleath Nicosia; Bernard Kloenne  
 Living Trust dated 10/10/86; Bernard  
 Greenblatt Living Trust UA dated; Bernard L.  
 Finley, an individual; Jacklyn Finley, an  
 individual; Lehrer Family Trust dated 2/3/04;  
 Bernard Sindler IRA; B S Living Trust; Dalton  
 Trust dated 1/7/94; Bert E. Arnlund Charitable  
 Remainder Unitrust dated 12/31/01; Leon E.  
 Singer & Suzy Singer Revocable Trust dated  
 6/30/99; Bertha Strauss, an individual;  
 Bettencourt Family Living Trust dated 9/9/97;  
 Betty J. Phenix, an individual; Betz Family  
 Trust; The Beulah J. Johnson Living Trust  
 dated 5/3/01; Bill Dupin, an individual; Penny  
 Dupin, an individual; Penn Family Trust dated  
 1/20/90; Billie R. Cislighi Trust; Billy D.  
 Denny and Donna R. Denny 2000 Revocable  
 Trust dated 1/26/00; Billy Shope, Jr. Family  
 LP, a Nevada limited partnership; Bishofberger  
 Charitable Remainder Trust Uad 11/3/94;  
 Blood Family Trust dated 5/18/99; Bob  
 O'Connor Self Employed Retirement Account;  
 Bonfiglio & Associates Ltd., an entity of  
 unknown origin; Bosworth 1988 Family Trust  
 For Eric Ronning; Brad L. Larson, an  
 individual; Bradbury Retirement Plan & Trust



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1 dated 5/26/99; Bradford A. McMullin, an entity  
 2 of unknown origin; Brandin Family Trust dated  
 3 December 1980 As Updated; Brant C. Lyall, an  
 4 individual; Kathy J. Lyall, an individual;  
 5 Brenda Falvai, an individual; Brian L. Riley  
 6 IRA; Broadwalk Investments Limited  
 7 Partnership; Brooke Ann Hawley, an  
 8 individual; Stephen Hawley, an individual;  
 9 Brooks Bishofberger, an individual; Brooks H.  
 10 Robinson, an individual; Dee Dee Robinson, an  
 11 individual; Brouwers Family Trust dated  
 12 1/11/1995; Bruce D. Bryen, an unmarried man  
 13 transfer on death to Erica Bryen; Bruce D.  
 14 Wallace, an individual; James B. Avanzino, an  
 15 individual; B.D.W. 1987 Trust dated 9/29/87;  
 16 Bruce R. Lemar, an individual; Bryce F. Bell,  
 17 an individual; Bunny C. Vreeland, an  
 18 individual; Burt Family Trust #2; David A Sack  
 19 Irrevocable Trust Dated 3/28/94; Burton M.  
 20 Sack, an individual; Scott A. Sack Irrevocable  
 21 Trust Dated 3/18/94; Byran J. McWaters, an  
 22 individual; Lisa J. McWaters, an individual; C.  
 23 Deann Dutt Trust; C. Donald Ayers, an  
 24 individual; C. K. Khury & Irene K. Bass  
 25 Family Trust; C.K. Khury, an individual; Irene  
 26 K. Bass, an individual; Cad C. Hagen, an  
 27 individual; Cale Family Trust dated 11/16/88;  
 28 Jay S. Stein IRA; Susan F. Gaokenbach IRA;  
 Cal-Mark Beverage Company Defined Benefit  
 c/o Nevada Trust Company; Winkler Family  
 Trust LTD 3/13/86; Capstone Asset  
 Management, an entity of unknown origin; The  
 Carey B. Sigmen & Lisa K. Sigmen Trust dated  
 3/3/97; Carl M. Warfield, an individual; Laura  
 W. Warfield, an individual; Neilan Living Trust  
 dated 01/02/04; Carlos A. Trujillo, an  
 individual; Carmen Neidig, an individual; Carol  
 A. Kelly, an individual; Carol A. Squicci  
 Revocable Trust dated 5/12/03; Trust A of the  
 1983 Living Trust Agreement dated 8/11/83;  
 Carol Edward Associates, an entity of unknown  
 origin; Carol J Pruner Trust dated 11/24/99;  
 Carol J. Simcock IRA; Carol Kiland IRA;  
 Carol Mortensen Family Trust dated 9/9/90;  
 Carol Sue Dunton, an individual; Ken M. Jaffe  
 & Amy Jaffe-Rosen; Carson Family Trust  
 dated 11/19/04; Carter L. Grenz, an individual;  
 Cassandra J. Robbins, an individual;  
 Catalanello Trust dated 2/1/99; Catherine D.  
 Oppio Trust dated 2/11/04; Catherine Garland,  
 an individual; Catherine Perrone, an individual;  
 Cecil E. Riordan, an individual; Barbara  
 Riordan, an individual; Center State Beverage,  
 Inc., a California corporation; Charles Kastler  
 III & Margaret L. Kastler Family Trust dated

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1 8/17/89; Clair W. Potter Trust; Charles B.  
 2 Plunkett Revocable Trust; Charles Bombard  
 3 1999 Trust dated 12/3/99; Charles Duke  
 4 Cummins, an individual; April M. Cummins, an  
 5 individual; Charles E. Borom, an individual;  
 6 Lanna G. Borom, an individual; Charles Jeremy  
 7 Ainsworth, an individual; Charles Kastler III,  
 8 an individual; Margaret L. Kastler, an  
 9 individual; Charles Kastler III & Margaret L.  
 10 Kastler Family Trust dated 8/17/89; Charles  
 11 Lebron Parker, an individual; Charles P.  
 12 Rashall Living Trust dated 4/14/99; Charles R.  
 13 Maraden, an individual; Valerie Callahan, an  
 14 individual; Charles & Jean Maraden Family  
 15 Trust dated 12/16/03; Charles S. Boggs Living  
 16 Trust dated 8/27/98; Hamm Trust dated  
 17 3/17/05; Charles Wilson Nibley IV, an  
 18 individual; Nancy Ann Nibley, an individual;  
 19 Chesley R. Davies, an individual; Mary E.  
 20 Davies, an individual; Chester R. McDowell, an  
 21 individual; Chris F. Lapacik, an individual;  
 22 Rosemary D. Lapacik, an individual; Chris  
 23 Sharp, an individual; Tern Sharp, an individual;  
 24 Christina L. Hess, an individual; Christina M.  
 25 Kehl, an individual; Christina Reale, an  
 26 individual; Christopher J. Fernandes, an  
 27 individual; Dionisio A. Fernandes, M.D., an  
 28 individual; Chun Living Trust dated 2/17/98;  
 Church of the Movement of Spiritual Inner  
 Awareness, an entity of unknown origin; Citrus  
 Grove Apartments, LLC, a California company;  
 Clair W. Potter Trust; Clara M. Cadieux, an  
 individual; Clark 1998 Trust; Bartkowski  
 Family Trust Dated 8/25/1994; Classic Land  
 LLC, a Nevada Company; Classic Plumbing, a  
 Nevada Company; Clawiter Associates, LLC, a  
 California Limited Liability Company; Helen  
 Clifton as trustee of the Clifton Family Trust;  
 Clifton H. Spindle, an individual; Verna R.  
 Spindle, an individual; Cole S. Smith, an  
 individual; Colita Kwiatkowski, an individual;  
 Paul Kwiatkowski, an individual; Connie  
 Mihos, an individual; Ivan Loebs, an  
 individual; Connie Westbrook, an individual;  
 Constantyn Chalitsios, an individual; Consuelo  
 B. Alfonso, an individual; Joani A. Alfonso-  
 Littrell, an individual; Cornelius Buys, an  
 individual; Helen Buys, an individual;  
 Cornerstone Capital Investments, LLC, a  
 Nevada LLC; Craig L. Rommel, an individual;  
 Ann Made Rommel, an individual; Craig  
 Wisch, an individual; Crosbie B. Ronning, an  
 individual; Curtis G. Kastler, an individual;  
 Curtis Hattstrom, an individual; Virginia  
 Hattstrom, an individual; Curtis R. Colagross,

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1 an individual; Terri L. Colagro, an individual;  
2 Cynthia A. Winter, an individual; Cynthia Ann  
3 Pardee Trust dated 6/20/03; Cynthia Burdige  
4 Trust U/A dated 4/13/00; Cynthia Burdige, an  
5 individual; Daniel Drubin, an individual; C.  
6 DeAnn Dutt Trust; Cynthia Devito, an  
7 individual; D & K Partners Inc., an entity of  
8 unknown origin; D. Joseph & Louise M.  
9 Doucet 1989 Trust dated 3/30/89; D. Nathan  
10 Meehan, an individual; Dan Nelson, an  
11 individual; Teri Nelson, an individual; Daniel  
12 D. Newman Trust dated 11/1/92; Altman  
13 Living Trust; Daniel C. Barcia, an individual;  
14 Daniel O. Carlton & Takeko Carlton Revocable  
15 Trust dated 4/30/97; Daniel Carlton, an  
16 individual; Daniel Drubin, an individual; Laura  
17 Drubin, an individual; Daniel J. Kehl, an  
18 individual; Daniel K. Fix & Barbara J. Fix  
19 Family Trust; Daniel L. Everett, an individual;  
20 Sandra M. Everett, an individual; Daniel L.  
21 Pereslete Trust; Daniel Living Trust As  
22 Amended dated 1/9/98; Daniel & Virginia  
23 Salerno Family Trust dated 8/9/89; Daniel O.  
24 Conner IRA; Daniel T. Drubin, an individual;  
25 Laura Drubin, an individual; Daniel Uriarte  
26 Family Trust dated 10/9/90; Danna Trust  
27 Agreement of 1990; Dahlene Ashdown, an  
28 individual; Vincent N. Greene, an individual;  
Dar Living Trust dated 2/12/03; Daryl Blanck  
& Yvonne Blanck Trust dated 3/23/94; Dave  
Griffith, an individual; David A. Kingman, an  
individual; David A. Souza, an individual;  
Elizabeth M. Souza, an individual; David B and  
Renee A Chaffin Family Trust dated 2/27/02;  
David B. Doult Sr., an individual; Johnine M.  
Doult, an individual; D.B. Greenberg Trust  
U/D/T 7/20/98; David Barker, an individual;  
Lisa Barker, an individual; David C. Coulson,  
an individual; Maria V. Ardila-Coulson, an  
individual; David C. Coulson IRA; David C.  
Jesse, an individual; David F. Eldridge, an  
individual; Elfriede R. Fujitani, an individual;  
David Fossati, an individual; Kelley Family  
Trust UAD 10/10/91; David G. Livingston, an  
individual; Erlinda M. Livingston, an  
individual; Sterling Living Trust; David J.  
Albiol, an individual; David J. Conklin, an  
individual; David J. Tammadge, an individual;  
Kravitz Family Revocable Trust; Griffith  
Family Trust dated 4/30/92; David M. & Ann  
D. Eastman Family Living Trust; David M.  
Blood, an individual; David M. Eby, an  
individual; Patricia D. Eby, an individual;  
David M. Olds, an individual; Sally W. Olds,  
an individual; David M. Thatcher, an



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1 individual; Newman Trust dated 1/26/94; David  
2 Rubio, an individual; Patricia L. Rubio, an  
3 individual; David Rosner Revocable Trust  
4 dated 01/05/2005; David Sallon, an individual;  
5 Joan Sallon, an individual; David W. Sexton,  
6 an individual; Pamela K. Sexton, an individual;  
7 Davis Investments A Nevada Partnership;  
8 Weible 1981 Trust dated 6/30/81; Debolt  
9 Living Trust dated 7/30/01; Deborah A. Daniel,  
10 an individual; Debra A. Sierra, an individual;  
11 Debra Ann Winemiller, an individual;  
12 Dehart/Hooks, LP, A Nevada Limited  
13 Partnership; Johnston Estate; Watkins Family  
14 Trust dated 7/24/92; Delwin C. Holt, an  
15 individual; Denise A. Murphy, an individual;  
16 Denise F. Fager Revocable Trust under  
17 agreement dated 2/28/03; Dennis A. Devito, an  
18 individual; Dennis Dalton, an individual;  
19 Barbara Dalton, an individual; Dennis G.  
20 Campton, MD PSP dated 3/16/72; Dennis J.  
21 Dalton IRA; Dennis M. Keegan, an individual;  
22 Owen M. Keegan, an individual; Dennis Raggi,  
23 an individual; Dennis Siplorski, an individual;  
24 Donna Siplorski, an individual; Dennis W.  
25 Boegel, an individual; Cynthia Reed, an  
26 individual; Desert Commercial Sweeping Inc.,  
27 an entity of unknown origin; Diane H. Higgins,  
28 an individual; Diane L. Bennett, an individual;  
Diane Massry Aka Denise D. Azrak-Massry, an  
individual; Dianna Wilkinson IRA; Dina Ladd,  
an individual; Dionisio A. Fernandes, Md, an  
individual; Fiola Fernandes, an individual;  
Dominique Naylor, an individual; Dennis E.  
Hein, an individual; Carrier Family Trust dated  
8/9/91; Don & Helen Hellings Family Trust  
(dated 2/27/86); Don Marshall, an individual;  
Donald A. Hermann, an individual; Nancy E.  
Hermann; Donald A. Gandolfo, an individual;  
Margaret D. Gandolfo, an individual; Donald E.  
Redmon & Jaylyle Redmon Family Trust dated  
10/31/95; Virts Revocable Living Trust;  
Donald Besemer, an individual; Dunbar  
Revocable Living Trust dated 11/21/1998;  
Burger 1981 Trust; Briney Family Exemption  
Trust (dated 11/5/82); Donald E. Redmon IRA;  
Virts Revocable Living Trust; The Frey Family  
Trust; Donald H. Kwiatkowski, an individual;  
Sandra L. Kwiatkowski, an individual; Donald  
H. Pinsker, an individual; Sherry Pinsker, an  
individual; Donald L. Hess, an individual; Kay  
J. Hart, an individual; Donald M. & Janice I.  
Berman 1996 Revocable Trust; Donald Swazey  
& Beverly W. Swezey Trust dated 2/20/01;  
Flood Family Trust dated 12/24/85; Donald W.  
Brehm, an individual; Donald W. Spring, an

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individual; Evelyn Mae Spring, an individual; Donna Dunn Living Trust dated 4/4/00; Donna J. Brooks, an individual; Donna M. Cangelosi Family Trust; The Doris E. Winter Trust; Dorothea K. Kraft, an individual; Douglas Gregg Schulze, an individual; Doreen L. Schulz, an individual; Douglas Littrell, an individual; Joan Littrell, an individual; Minter Family 1994 Trust; Douglas & Nancy O'Herron Trust; Douglas Tichenor, an individual; Susan Tichenor, an individual; Dr. Allan R. Hemdabler, an individual; Sue Hemdabler, an individual; Dr. Carole Talan, an individual; Dr. Damon Paul Walton, an individual; Rebecca Jean Walton, an individual; Dr. Damon Paul Walton IRA; Dr. Dana D. Keith DDS, an individual; Dr. David R. Enrico, an individual; Dr. Bonny K. Enrico, an individual; Dr. Henry C. Ayoub; Dr. Joselito Tan Burgos Jr., an individual; Dr. Louis Rotola, an individual; Bridget Rotola, an individual; Stanley Alexander Trust; Dr. Stanley Alexander, an individual; Florence Alexander, an individual; Draper Family LLP, A Colorado Partnership; Duane Steward, an individual; Diane J. Steward, an individual; Nevada Freedom Corp. PSP dated 10/1/90 AMD 9/1/95; Dunbar Revocable Living Trust dated 11/21/98; Frederick W. Kewell IRA; Dwayne H. Deutscher, an individual; Michelle T. Deutscher, an individual; Yoder Family Trust dated 10/25/00; Harouff Charitable Remainder Trust 9/5/96; Dwight W. Harouff, an individual; Mary Ann Harouff, an individual; Harouff Charitable Remainder Trust 9/5/96; Marston Family Trust dated 8/13/93; Earl Hauserman, an individual; Bette Hauserman, an individual; Earl Howsley, Jr., an individual; Ed S. Pedman, an individual; Eddie Mayo, an individual; Jocelyne Helzer, an individual; Eddie Mayo, an individual; Jocelyne Helzer, an individual; Edmund G. Gaylord, an individual; Betty Boese, an individual; Edna P. Wilson, an individual; Sloan D. Wilson, an individual; Edward Panyrek, an individual; Joan Panyrek, an individual; Edward Burgess IRA; Edward E. Eyre, Jr. 1998 Trust dated 12/31/98; Edward & Joan Panyrek Trust dated August 11 2005; Scheidegger Family Trust dated 12/26/01; The Schoonover Family Trust dated 2/23/04; Edward O. High, an individual; DeBolt Living Trust dated 7/30/01; Edwin C. Hansen, an individual; Rachel M. Hansen, an individual; Edwin Lowell Hausler, Jr. Living Trust dated 1/3/97; Edwin & Dianne; Edwin Lowell

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1 Hausler Jr. Living Trust dated 1/3/92; Edwin  
 2 Lowell Hausler Jr. Living Trust dated 1/3/93;  
 3 Edwin Lowell Hausler Jr. Living Trust dated  
 4 1/3/94; Elan Reddehl Revocable Living Trust  
 5 dated 8/4/03; Eleanor A. Couch, an individual;  
 6 Eleanor Ada Couch Trust dated 12/29/2005;  
 7 Eleanor L. Rogers 1991 Revocable Living Trust  
 8 dated 7/31/91; Eleanor Varelli, an individual;  
 9 Elizabeth P. Dokken Trust dated 1/27/93;  
 10 Elizabeth Stryks Shaw, an individual; Ella M.  
 11 Lehrer, an individual; Ellen D. Dauscher In  
 12 Trust For Carleigh Joy Alexandra Zoe & Julian  
 13 Grace; Ellen V. Dustman, an individual; Oliver  
 14 Henry, an individual; Ellyson J. Galloway, an  
 15 individual; Elmer Eugene Gilbert Jr., an  
 16 individual; Emery Living Trust dated 6/04/91;  
 17 Emily P. Lee, an individual; Emmeline  
 18 Punsalan, an individual; Fred G. Neufeld IRA;  
 19 Eric B. Freedus, an individual; Linda P.  
 20 Freedus, an individual; Eric C. Disbrow MD  
 21 Inc. Profit Sharing Plan; Eric S. Perlman, an  
 22 individual; Eric T. Erickson, an individual;  
 23 Dolores Y. Erickson, an individual; Erika G.  
 24 Lynn, an individual; Erika Muchenberger  
 25 Revocable Trust dated 11/21/03; Ernest J.  
 26 Moore, an individual; Ernest W. Libman IRA;  
 27 Eugene Auffert, an individual; Maria Teresa  
 28 Auffert, an individual; Eugene B. Machock &  
 Dianne D. Machock Family Trust dated 3/3/04;  
 Eugene C. Wiehe Trust dated 10/31/85; Eunice  
 O. Chapman, an individual; Evan J. Madow,  
 D.C. Trust; The Chris H. Sheerin (deceased) &  
 Evelyn Asher Sheerin 1984 Trust dated  
 5/31/84; Evelyn Fisher, an individual; Everett  
 H. Johnston Family Trust dated 1/24/90; Evo E.  
 Zepponi & Billie D. Zepponi Family Trust  
 under agreement dated 2/9/93; Falkenberg  
 Family LLC a California limited liability  
 company; Fernando Cuza, an individual; Kristi  
 Cuza, an individual; Finkel Family Trust dated  
 7/26/05; Clarence J. Greenwald IRA; Irwin  
 Levine IRA; Alan Groh IRA; Albert  
 Blumenthal IRA; Anton Trapman IRA; Anton  
 Trapman Roth IRA; Boris Lokshin IRA; Cesari  
 Piazza IRA; Charles Kastler III IRA; Craig  
 Zager Sep IRA; Curtis Hattstrom IRA; David  
 Foxcroft IRA; Dianna Wilkinson IRA; Donald  
 C. Dunbar IRA; Donald E. Rerimon IRA; Earl  
 Hauserman-IRA; Edward C. Fraser IRA;  
 Edwin E. Arnold IRA; Eva M. Gehle Roth  
 IRA; Gary DeMaine IRA; Gary McMahon Sep  
 IRA; George A. Di Giola IRA; George J. Molto  
 IRA; George R. Haney IRA; Gregory Yonai  
 IRA; Henri L. Louvigny IRA; Jack D. LaFlesch  
 IRA; Jack Mennis IRA; Jacqueline Thurmond

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1 IRA; James F. Eves IRA; James M. McConnell  
2 IRA; James N. Deglandon IRA; James Paul  
3 Goode IRA; Janice A. Lucas IRA; Jay P.  
4 Hingst IRA; Jocelyne Helzer IRA; John A. M.  
5 Handal IRA; John W. Brouwers, M.D. Sep  
6 IRA; Jorg U. Lenk IRA; Joseph P. Davis IRA;  
7 Judith G. Pech IRA; Kenneth A. Wener IRA;  
8 Kenneth Addes IRA; Kenneth H. Wyatt IRA;  
9 Kristie A. Kayser IRA; Louise Teeter IRA  
10 Rollover; Lamberto Eugenio IRA; Larry L.  
11 Rieger IRA; Leo W. Lloyd IRA; Lindsey H.  
12 Kesler Jr. IRA; Lloyd Frey IRA; Louise Teeter  
13 IRA Rollover; Lynn Fettesdy IRA; Manuel Rice  
14 IRA; Marion C. Sharp IRA; Marvin Nicola  
15 IRA; Mary H. Earp IRA; Mary Jellison IRA;  
16 Matthew Molitch IRA; Michael J. McLaws  
17 IRA; Michael S. Braida IRA; Michael S.  
18 Simcock IRA; Nancy C. Serino IRA; Nancy C.  
19 Serino IRA; Nancy R. Gilmour IRA; Nelson L.  
20 Cohen IRA; Noel E. Rees IRA; Patsy R. Rieger  
21 IRA; Paula S. Bender IRA; Peggy Ann Valley  
22 IRA; Peter C. Cranston IRA; Phyllis P. Wyatt  
23 IRA; Randy Sanchez IRA; Rena Dehart IRA;  
24 Richard L. Cadieux IRA; Richard L. Younge  
25 IRA; Richard W. Gilmour IRA; Robert D. Earp  
26 IRA; Robert G. Fuller IRA; Robert L. Pech  
27 IRA; Rosalie A Morgan IRA; Rudolf Winkler  
28 IRA; Stephen V. Kowalski IRA; Sylvia Hooks  
IRA; Thomas Rehn IRA; Thomas T. Riedman  
IRA; Timothy J. Porter IRA; Tina M. Wener  
IRA; Todd C Maurer IRA; Mary Coleman IRA;  
Kip B. Virts IRA; Gary D. Ward IRA; Janice  
Mills, IRA; Harold E Pals IRA; Adene J. Fine  
IRA; Betty R. Pardo IRA; Brenda J. High IRA;  
Leah K. Dobyne IRA; Marina Mehlman IRA;  
Moms Mansell IRA; Robert Speckert IRA;  
Suzanne Brehmer IRA; Robert Specked IRA;  
Curtis Clark IRA; Hamilton High IRA; Harold  
E. Pals IRA; Moms Mansell IRA; Lewis Fine  
IRA; Thomas C. Gray IRA; Heidi Machock  
IRA; Fisko Ventures, LLC., an entity of  
unknown origin; Louise Teeter IRA Rollover;  
Paul Bloch IRA; Floyd H. Lander Living Trust  
U-A 4/23/99; Floyd M. Spindle, an individual;  
Ford S Dunton, an individual; FR Inc, Dba  
Bombard Electric, an entity of unknown origin;  
Fraley Limited Partnership; a Nevada limited  
partnership; Phillips Family Trust dated  
10/24/89; Francesco Soro Retirement Plan  
dated 1/1/99; Francesco Soro, an individual;  
Francis Donald Riggs Jr, an individual; Jaime  
Kefalas Trust; Jason A Kefalas Trust; Frank  
Davenport, an individual; Belmonte Family  
Trust; Frank Reale, an individual; Frank S.  
Wasko Revocable Trust dated 5/21/02;

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1 Charlotte Snopko Marital Trust dated 8/31/04;  
2 Snopko 1981 Trust dated 10/27/81; Frank  
3 Valentino, an individual; Stella Valentino, an  
4 individual; Frank Wasko, an individual; Ott  
5 Family Revocable Trust; Franz J. Zimmer  
6 Revocable Trust dated 02/05/97; Fraser  
7 Atwater Properties, LLC, an entity of unknown  
8 origin; Fred G Altenburg, an individual;  
9 Foxcroft Living Trust dated; Freda Newman  
10 Trust dated 7/26/84; Frederick D. Garth, an  
11 individual; Blair F. Garth, an individual;  
12 Frederick J. Davis, an individual; Windisch  
13 1998 Living Trust; Frederick Paul Windisch, an  
14 individual; Freeda Cohen Trust dated 7/11/04;  
15 Freedom Properties, Inc., an entity of unknown  
16 origin; G & L Nelson Limited Partnership, an  
17 entity of unknown origin; G. Robert Knoles, an  
18 individual; Christina G. Knoles, an individual;  
19 Gail A. Freitas Revocable Trust dated 6/20/03;  
20 Robert W. & Gail A. Gray Revocable Trust;  
21 Gail Klevay, an individual; Gail M. Hock, an  
22 individual; Gail Hodes Living Trust dated  
23 9/10/03; Gale Gladstone Katz Revocable  
24 Living Trust dated 12/10/03; Craner Family  
25 Trust Under Agreement dated 2/23/99; The  
26 Gareth A. R. Craner Trust Dtd 6/01/02; Gary A.  
27 Thibault, an individual; Sandra C. Thibault, an  
28 individual; Gary Deppe, an individual; Gary E.  
Topp, an individual; Gary E. Tucker, an  
individual; Linda L. Tucker, an individual;  
Gary L. Bonnema, an individual; Gary Larson,  
an individual; Dolores Larson, an individual;  
Gary Moberly IRA; Gary R. Barton, an  
individual; Mavis J. Barton, an individual;  
Gayle Harkins, an individual; GDSS Investors  
LLC, a Colorado limited liability company;  
Gene Montoya, an individual; Angela J.  
Howard, an individual; Geoffrey Mott, an  
individual; Maryann Mott, an individual;  
George Gage Trust dated; George Michael  
Averett, an individual; Claim H. Averett, an  
individual; Virginia & George Minar Living  
Trust; George S. Cohan & Natalie N.Cohan  
Family Trust dated 4/1/03; George W. Hall &  
Susan P. Hall Revocable Family Trust;  
Hubbard Trust dated; George W. Hubbard Roth  
IRA; George W. Urda, an individual; Georges  
1987 Trust dated 12/23/87; Merz Family Living  
Trust dated; Gerald E. Colligan, an individual;  
Gerald L. Bittner Sr. DDS, an individual; Susan  
I. Bittner, DDS, an individual; Gerald L.  
Bittner, Jr. DDS Profit Sharing Plan; Gerald  
Marts, an individual; Linda R. Marts, an  
individual; Gerry Topp, an individual; Sperry  
Family Trust UDO 4/15/97; Gilbert Manuel



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1 Living Trust dated 1/3/92; Gladys Mathers, an  
 2 individual; Joann Nunes, an individual; Glen J.  
 3 Brecht Trust dated 1/24/86; Glenda Lambert  
 4 Sibley IRA; Davis Revocable Living Trust UA  
 5 7/06/88; Glenn & Came Donahue Living Trust  
 6 dated 4/30/94; Glenn W. Gaboury, an  
 7 individual; Sharon M. Gaboury, an individual;  
 8 Graf Family Trust dated 2/7/77; Gloria M  
 9 Swett, an individual; Deborah H. Nogaim, an  
 10 individual; Gloria W. Handelman, an  
 11 individual; Jim Handelman, an individual;  
 12 Handelman Charitable Remainder Unitrust;  
 13 Gloria Weiner Adams Revocable Trust dated 6-  
 14 8-2005; Gold Plated L.L.C., an entity of  
 15 unknown origin; Gold Runner, L.L.C, a Nevada  
 16 limited liability company; Gonska Foundation,  
 17 LLC, a Nevada limited liability company; The  
 18 Gordon Rap and Nancy S. Phillips Living Trust  
 19 dated January 17, 1994; The Lyna Young  
 20 Goodson LP; Grable B. Ronning, an individual;  
 21 Graydon L. Fladager, an individual; Cynthia A.  
 22 Flada, an individual; Greene Family Trust dated  
 23 4/25/90; Greenwald Living Trust dated 5/8/90;  
 24 Greg Milano, an individual; Jane Milano, an  
 25 individual; Kloenne Living Trust dated 3/11/87;  
 26 Gregory C. Burkett, an individual; Kathy  
 27 Burkett, an individual; Gregory D. Yonai  
 28 Family Trust; Gregory E. Weir, an individual;  
 Gregory R. Thompson, an individual; Gregory  
 Scott Daniel, an individual; The Sak Family  
 Trust dated 12-17-04; Gregory W. Stimpson, an  
 individual; Carrie M. Stimpson, an individual;  
 Guido Mandarino, an individual; Maria Rocco,  
 an individual; Volpel Trust dated 2/2/96; Guy  
 Archer, an individual; Whitman Trust dated  
 12/1/04; H. Lee Shapiro, an individual;  
 Hamilton High IRA; Hannah Brehmer, an  
 individual; Billy Gates, an individual; Hans J.  
 Leer, an individual; Carolyn F. Leer, an  
 individual; Hans J. Prakelt, an individual;  
 Harkley E. Boak, an individual; Carrie Boak,  
 an individual; Harold Corcoran, an individual;  
 Joyce Corcoran, an individual; Harold Epstein  
 Revocable Living Trust dated 2/14/91; Harold  
 G. Hartwell, an individual; Moody Family  
 Trust; Harold Willard and Beverly Willard  
 1980 Trust dated 12/18/80; Harry G. Fritz &  
 Beverly C. Fritz Family; Hart Family Trust  
 dated 8/30/99; Harvey A. Komhaber, an  
 individual; Harvey Alderson, an individual;  
 Harvey Andrew Rineer III Trust UTA;  
 McShaffrey Living Trust dated 3/27/81;  
 Hawley Family Trust dated 8/15/96; Heather  
 Winchester, an individual; William Winchester,  
 an individual; Heidi Machock IRA; Helena A.

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1 Bova, an individual; Helmut R. Dobeck, an  
2 individual; Eloise A. Dobeck, an individual;  
3 The Henry L. Louvigny & Marcella A.  
4 Louvigny Family Trust dated 10/18/84; Henri  
5 L. Louvigny IRA; Henry E. Pattison, an  
6 individual; Ruth V. Pattison, an individual;  
7 Henry & Mengla Obermuller Trust dated  
8 9/14/90; Herbert Lum Trust dated 11/27/96;  
9 Herbert Slovis, an individual; Julie B. Slovis,  
10 an individual; Herbert Sonnenklar, an  
11 individual; Norma R. Sonnenklar, an  
12 individual; Herndon Family Trust dated  
13 05/29/1997; Herpst Family Trust dated 8/16/90;  
14 Huffman Family Trust dated 5/28/98; Hillari  
15 Tischler payable on death to Howard Tischler;  
16 Hine Family Trust; Hoffman Family  
17 Investments LP, an entity of unknown origin;  
18 Saulsberry Revocable Inter-Vivos Trust dated  
19 9/9/82; Holly J. Pickerel, an individual;  
20 Horizon Investment Management LLC, an  
21 entity of unknown origin; Saylor Family Trust  
22 dated; Howard Connell, an individual; Lorene  
23 Connell, an individual; Brooks Living Trust  
24 dated; Howard Kolodny Trust dated 3/22/99;  
25 Craig Living Trust dated 08/10/00; Kyle  
26 Nehdar UGMA; Hulse Family Trust; I. Zerbo,  
27 an individual; Finlayson 1991 Family Trust;  
28 Ingrid A. Rutherford Family Trust dated 7/8/99;  
Ira Jay Shapiro, an individual; Blanche Shapiro,  
an individual; Irene R. O'Hare Trust dated  
7/28/88; Irene Trapman, an individual; Anton  
Trapman, an individual; Iris G. Corley Trust  
dated 9/19/84; Ivan Loebbs, an individual; The J  
V Marrone Revocable Trust dated 12/12/95;  
Kirk Family Trust dated 8/24/99; J. Kord  
Kelley, an individual; Grant M. & J. Laurel  
Bushman Family Trust; Jack Goldenthal, an  
individual; Sylvia Goldenthal, an individual;  
Jack J. Beaulieu Revocable Living Trust dated  
9/1/94; Jack L. Dysart, an individual; Jack R.  
Clark, an individual; Linda C Reid, an  
individual; Jack R. Mennis, an individual;  
Susan A. Mennis, an individual; Jack Snow, an  
individual; Heidi Snow, an individual; Jackie  
Vohs, an individual; Jacqueline Barbara  
Valiente; James & Maureen Feeney Family  
Trust dated 12/17/92; James & Shirley Klega  
Trust dated 06/22/95; Linthicum Revocable  
Trust dated 1/14/80; James B. Avanzino, an  
individual; James C. Presswood IRA; James  
Cielen, an individual; Climo Family Trust dated  
2/6/92; James D. Dery, an individual; Ann R.  
Dery, an individual; James E. Ahern, an  
individual; Heaton Family Trust; Ton 1998  
Revocable Trust; James H. Lidster Family

1 Trust dated 1/20/92; Duffy 1986 Trust dated  
 2 6/18/86; Liem Family Trust; McConnell Family  
 3 Trust dated 12/3/81; James Paul Goode, an  
 4 individual; James Ronald Loftfield & Catherine  
 5 Pauline Loftfield Trustees of the Loftfield;  
 6 James Supple, an individual; JWB Trust  
 7 Agreement dated 8/1/97; James W. Hale, Sr.,  
 8 an individual; James W. Lehr, an individual;  
 9 Julie Anne Lehr, an individual; James W.  
 10 Wagner, an individual; Joseph P. Wagner, an  
 11 individual; James W. Shaw IRA; James  
 12 William Rogers, an individual; James H.  
 13 Lidster Family Trust dated 1/20/92; Jan Mills,  
 14 an individual; Jane Falke Living Trust dated  
 15 10/16/01; The Janet L. Leedham Revocable  
 16 Trust dated 12/21/98; Janice A. Lucas IRA;  
 17 Janice J. Hergert Revocable Living Trust dated  
 18 9/15/00; Jacqueline Thurmond, a married  
 19 woman dealing with her sole & separate  
 20 property with Traci Landig as Beneficiary;  
 21 Jason D. Fernandes, an individual; Fiola  
 22 Fernandes, an individual; Jay E. Henman  
 23 Retirement Plan; Jayem Family L.P. a Nevada  
 24 limited partnership; Berthelot Living Trust  
 25 dated 4/9/03; Barber Family Trust; Jeffrey  
 26 Lipshitz IRA; Peele Spousal Trust dated  
 27 2/10/87; Jenifer Jacobs, an individual; Robert  
 28 Furton, an individual; Peale Spousal Trust  
 dated 2/10/87; Peele Bypass Trust dated  
 2/10/87; Jennifer A. Wade, an individual;  
 Jennifer J. Harmon, an individual; Cheryl Hoff,  
 an individual; Jerome L. Block, an individual;  
 Charma N. Block, an individual; Jerome L.  
 Harvey Jr., an individual; Marisa Deville  
 Harvey, an individual; Jerrold Weinstein Self  
 Declaration Trust; Kirk Revocable Trust dated  
 2/10/84; Jerry L. Blackman, Sr. & Carolyn N.  
 Blackman Living Trust dated 11/26/01; Dakota  
 Trust dated 6/16/96; Jerry Pietryk, an  
 individual; Leeann Pietryk, an individual; Jerry  
 Woldorsky, an individual; Gledhill Revocable  
 Family Trust; Joan B. Cassiot 1987 Trust dated  
 8/7/87; Joan M. Crittenden, an individual;  
 Joann B. Nunes, an individual; Gladys Mathers,  
 an individual; McQuerry Family Partnership;  
 Joanne A. Halvorson, an individual; Jocelyne  
 Helzer IRA; Jocelyne Helzer, an individual;  
 Ippolito Family Trust; John A. M. Handal, an  
 individual; John A. McAfee, an individual;  
 Jennifer A. McAfee, an individual; John  
 Borkoski, an individual; Kathleen Borkoski, an  
 individual; John D. Eichhorn, an individual; Jill  
 A. Eichhorn, an individual; John D. Hathcock,  
 an individual; Susan K. Hathcock, an  
 individual; John E. O'Riordan, an individual;

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1 Sonhild A O'Riordan, an individual; John E.  
 2 Barnes, an individual; Ginger M. Barnes, an  
 3 individual; John E. McKennon, an individual;  
 4 Sharon M. McKennon, an individual; John F.  
 5 Okita, an individual; Michiko M. Yamamoto,  
 6 an individual; John G. Theriault, an individual;  
 7 Pamela J. Theriault, an individual; John H.  
 8 Duberg, an individual; John J. Maguire &  
 9 Diane M. Maguire Living Trust dated 8/4/00;  
 10 John Krebbs, an individual; John L. Wade Trust  
 11 dated 5/8/01; John Lloyd IRA; John M.  
 12 Luongo, an individual; Gloria Luongo, an  
 13 individual; John M. Marston, an individual;  
 14 Linda S. Marston, an individual; Tripp Family  
 15 Trust 1997; John Master, an individual; John  
 16 Nix, an individual; Lisa Nix, an individual;  
 17 John P. Aquino, an individual; Lisa Aquino, an  
 18 individual; John P. Clendening, an individual;  
 19 Doreen S. Clendening, an individual;  
 20 Clendening Family Trust dated 10/08/2004;  
 21 John P. Everett, an individual; John R.  
 22 Cangelosi, an individual; Margaret M.  
 23 Cangelosi, an individual; Frederickson Trust  
 24 dated 10/02/03; John Roach, an individual;  
 25 Mary Ann Roach, an individual; Mallin Family  
 26 Trust dated 7/12/99; John S. Borkoski TTEE  
 27 for Payette Lakes Consulting LLC 401k FBO  
 28 John Borkoski dated 1-1-04; Sumpolec 1989  
 Trust dated 4/13/89; John T. Chirgwin, an  
 individual; John V. Fragola, an individual; John  
 & Kathleen Keith Living; John Weaver, an  
 individual; Colleen Weaver, an individual;  
 Johnston Trust dated 9/7/85 c/o Rodney L.  
 Johnston & Diane E. John; John A. M. Handal,  
 an individual; Jon J. Lee, an individual; Tracy  
 Lee, an individual; Jon Paul Jensen, an  
 individual; Tamara Lee Jensen, an individual;  
 Jonathan D. Katz, an individual; Jonathan M.  
 Eller, an individual; Carol A. Eller, an  
 individual; Jonathan M. Eller Inc. a California  
 corporation; Jorg U. Lenk, an individual; Jose  
 M Lanzas, an individual; Gladys Lanzas, an  
 individual; Farrah Family Trust dated 09/18/03;  
 Joseph B. Lafayette, an individual; Catherine  
 D. Lafayette, an individual; Joseph C. Bellan &  
 Verna J. Bellan Revocable Living Trust, dated  
 3/4/00 c/o; Joseph C. Mineo, Mary Lynn  
 Denton with Power of Attorney; Davis Family  
 Trust; Joseph F. McMullin, an individual; Pearl  
 A. McMullin, an individual; Joseph G  
 Zappulla, an individual; Carol A. Zappulla, an  
 individual; Joseph J. Benoualid, an individual;  
 Helen L. Benoualid, an individual; Joseph J.  
 Melz, an individual; Linda M. Melz, an  
 individual; Joseph N. Rizzuto Family Trust

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1 dated 4/24/89; Walls Family Trust dated  
 2 12/10/97; Sterling Family Trust dated; Casebolt  
 3 Revocable Trust dated 2/30/94; Josette  
 4 Bomilla, an individual; Rogie Madlambayan,  
 5 an individual; Josifko Family Living Trust  
 6 U/T/D 9/21/9; Joy Investment Inc., a Nevada  
 7 Corporation; Joyce Bombard 2000 Trust dated  
 8 11/11/00; Joyce E. Smith Trust dated 11/3/99;  
 9 Judith A. Robinson Revocable Living Trust  
 10 dated 4/2/01; Judith Ann Heinbaugh Living  
 11 Trust dated 4/25/96; Judith Candelario, an  
 12 individual; Judith G. Pech IRA; Judy A.  
 13 Bonnet, an individual; Judy A. Van Winkle  
 14 1994 Trust dated 3/25/94; Judy Heyboer, an  
 15 individual; Julia Farrah Revocable Living Trust  
 16 Dated 10/8/92; June Gibson, an individual;  
 17 Lewis/Rafferty Family; States Living Trust  
 18 dated; The JV Marrone Revocable Trust dated  
 19 12/12/95; JWB Investments Inc. Pension Plan;  
 20 Kami Banos, an individual; Willie Banos, an  
 21 individual; Kami D. Wright, an individual;  
 22 David M. Wright, an individual; Kaneda Living  
 23 Trust dated 5/30/02; Karen G. Blachly, an  
 24 individual; Karen K. Wener, an individual;  
 25 Kenneth A. Wener, an individual; Karen R.  
 26 Allison, an individual; Karen R. Danner, an  
 27 individual; Karen S. Moberly IRA; Katherine  
 28 S. Pedman, an individual; Boyce 1989 Trust  
 dated 6/12/89; Austin John Borkoski Trust  
 dated 12/10/92; Kali Gene Borkoski Trust  
 dated 12/21/89; Tina Eden, an individual; Kay  
 J. Hart, an individual; Kay M. Cantrell, an  
 individual; Kaye Hutchison, an individual;  
 Kehl Development An Iowa Corp.; Keith  
 Lopeman, an individual; La Creta Lopeman, an  
 individual; Keith W. Vescial, an individual;  
 Karen A. Roth, an individual; Kelley Family  
 Trust Uad 10/10/91; Kelley M. Hains, an  
 individual; Jamie K. Hains, an individual; Kelli  
 A. Garvey transfer on death to Stephen L.  
 Hawley; Kelly F. Neal, an individual; Kem  
 Yee, an individual; Emmelene Yee, an  
 individual; Addes Trust; Kenneth B. Schulz, an  
 individual; Mary Kay Bryan-Schulz, an  
 individual; Kenneth D. Sawyer, an individual;  
 The Kenneth H & Phyllis P Wyatt Family  
 Trust; Kenneth Jerry Goulding, an individual;  
 Florie Goulding, an individual; Kefalas Trust  
 dated 7/3/97; Kenneth W. Koenvitz & Jan Case  
 Koerwitz Family Trust dated 5/13/03; Kes G.  
 Andersen, an individual; Ruth Andersen, an  
 individual; Kevin A. McKee, an individual;  
 Pamela J. McKee, an individual; Kevin J.  
 Haselharst, an individual; Kevin Kehl, an  
 individual; Kevin Ness, an individual; Karen



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1 Ness, an individual; Kevin Taylor IRA; Kevon  
 2 Cottrell, an individual; Karen Cottrell, an  
 3 individual; Kimberly Taylor, an individual; Kip  
 4 E. Virts, an individual; Melissa A. Virts, an  
 5 individual; Kirsten Wagner, an individual;  
 6 Klaus Kopf, an individual; Colette Kopf, an  
 7 individual; Kloenne Living Trust dated 3/11/87;  
 8 Kloepper Trust dated 11/27/00; KM Financials  
 9 LLC, a Utah corporation; KM Group a Nevada  
 10 General Partnership; Kris J. Hamper, an  
 11 individual; Kristin A. Olivas, an individual;  
 12 KTaylorGO Investments, LTD, a Texas  
 13 Company; Kwiatkowski Revocable Trust dated  
 14 12/17; L. Dean Gibson Revocable Trust of  
 15 2003; Labossiere Family Trust dated  
 16 3/20/1987; Laguna Paloma Inc. A Texas  
 17 Corporation; Hodgson Living Trust dated;  
 18 Kulper Trust; Larry L. Ringer & Patsy R.  
 19 Ringer Revocable Trust dated 8/14/91;  
 20 Newman Family Trust dated 9/30/97; Larry  
 21 Apigian, an individual; Leona Apigian, an  
 22 individual; Lehmann Family Trust dated  
 23 4/19/96; Larry D. Hale, an individual; Veronica  
 24 S. Hale, an individual; Colborn Revocable  
 25 Living Trust dated 8/6/90; Larry E. Hanan  
 26 Revocable Trust dated 5/20/02; Fernandez  
 27 Family Trust dated 6/20/84; Newman Family  
 28 Trust dated 9/30/97; Larry L. Ringer & Patsy R.  
 Ringer Revocable Trust dated 8/14/91; Larry  
 W. Johnson, an individual; Lyn Owen, an  
 individual; Lauren Reale, an individual;  
 Lawrence H. Tengan & Lorraine K. Tengan  
 Revocable Trust; Kirkham & Sanginili Trust  
 dated 2/29/96; Lawrence G. Doull Living Trust  
 dated 12/12/95; Patricia Bryant, an individual;  
 Lee Rotchy Trust dated 12/5/00; Leiby Family  
 1992 Trust dated 7/8/92; Johansen Family  
 Trust; Leigh B. Pandaleon IRA; Swanson  
 Family Trust dated 9/14/94; Alvin M Swanson  
 & Grace E. Swanson Living Trust dated  
 7/26/01; Leland T. Pearce, an individual;  
 Isabelle J. Pearce, an individual; Leo L.  
 Haynes, an individual; Glenda G. Haynes, an  
 individual; Leon E. Singer & Suzy Singer;  
 Leona Lubliner Living Trust U/A dated  
 7/16/96; Chapman Trust #1015932; The  
 Leonard Adams Revocable Trust Under Trust  
 Agreement dated July 11 1983; Leonard C.  
 Adams, an individual; Lesleigh J. Tolin, an  
 individual; Richard Chambers, an individual;  
 Lesley Stricker, an individual; Leslie Irwin, an  
 individual; Leslie P. Siggs, an individual;  
 Leslie S. Lanes, an individual; Leslie Shane  
 Daniel, an individual; Denise M Daniel, an  
 individual; Lewis Fine, an individual; Arlene J.

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1 Fine, an individual; Lewis H Fine IRA; Lexcy  
 2 S. Parker, an individual; Lidia Bazzoli, an  
 individual; Daniela Bazzoli-Ferrari, an  
 3 individual; Lily Markham, an individual; Irene  
 Anne Markham-Tafoya, an individual; Gene &  
 4 Linda Leblanc Family Trust dated 8/20/99;  
 Linda M. Walker, an individual; Linda  
 5 Merialdo Living Trust dated 8/6/02; Doerr  
 family trust dated 9/12/02; Lindsey H. Kesler  
 6 Family Revocable Trust; Lisa M Hollifield, an  
 individual; Lisa Sooy, an individual; The Van  
 7 Sickle Family Trust dated 5/20/99; Lokshin  
 Family Trust dated 6/3/96; Loretta A. Lamont,  
 8 an individual; Lori A. Procter, an individual;  
 Lori Dietzman, an individual; William  
 9 Dietzman, an individual; Loughlin Family  
 Trust; Louis C. Swilley, an individual; Louis E  
 10 Massry, an individual; Louis H. & Shirley M.  
 Turner Family Trust dated 9/9/97; Louis H.  
 11 Shahin Trust dated 6/9/94; Louis H. & Shirley  
 M. Turner Family Trust dated 9/9/97; Louise  
 12 Alport Kolberg Revocable Trust; Louise G.  
 Sherk, M.D., a Medical Corporation, Employee  
 13 Benefit Plan Trust; Louise Teeter IRA  
 Rollover; Lowe Family Trust; Lowell V.  
 14 Andrews, an individual; Lora & Loyal  
 Crownover Family Trust; LRD Lending, A  
 15 California Corp.; Lui A. Avanzino, an  
 individual; Audrey L. Avanzino, an individual;  
 16 Luther E. Tate, an individual; David Bailey, an  
 individual; Fettesdy Family Trust dated 6/30/89;  
 17 Lynn Wilkelis, an individual; Jewell Nowak, an  
 individual; Dr. Jana Molvaney, an individual;  
 18 Lynnette S. Thurman, an individual; John H.  
 Thurman, an individual; M & M Imports  
 19 Retirement Plan Trust; M. Anne Riccio, an  
 individual; Macdonald Center For The Arts &  
 20 Humanities, an entity of unknown origin;  
 Madene C. Wade, an individual; Mae Mineo  
 21 Trust dated 3/23/00; Mahendra C. Mody, an  
 individual; Malcolm Telloian Jr., an individual;  
 22 Joan B. Telloian, an individual; Marc A.  
 Goddard, an individual; Damara R. Stone-  
 23 Goddard, an individual; Marc M. Inpan, an  
 individual; Marcia C. Albiol, an individual;  
 24 Henry Albiol, an individual; Marcia J. Knox  
 Living Trust dated 8/16/04; Marcia Sweany-  
 25 Volpe, an individual; Margaret M. Cangelosi,  
 an individual; Margaret M. Cangelosi Family  
 26 Trust; Marge Karney, an individual; Marguerite  
 Falkenberg 2000 Trust dated 6/20/00; Maria I.  
 27 Mathieu, an individual; Marietta Voglis, an  
 individual; Marilyn Hilborn Trust dated  
 28 11/18/93; Marilyn Johnson Living Trust dated  
 10/5/99; Marilyn Mollitch, an individual;

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1 Matthew Molitch, an individual; Marina  
 2 Mehlman IRA; Marion B. Dittman, an  
 3 individual; Marion C. Sharp Trust; Marion L.  
 4 Sample, an individual; Vernon Olson, an  
 5 individual; Marisa Deville Harvey, an  
 6 individual; Marjorie Y. Berlin, an individual;  
 7 Mark A. Dolginoff Separate Property Trust  
 8 dated 11/21/97 amended/restated on 5/10/00;  
 9 Mark A. Saucedo, an individual; Mark  
 10 Bredezen & Katharine Bredezen Trust; Mark L.  
 11 Eames, an individual; Sandra K. Eames, an  
 12 individual; Mark Tysseling, an individual;  
 13 Sharon Vey-Tysseling, an individual; Marlene  
 14 C. Wade, an individual; Marlin L. Wonders, an  
 15 individual; R. Yvonne Wonders, an individual;  
 16 Marrice L. Davis, an individual; Nanci E.  
 17 Davis, an individual; Marsha G. Vieira, an  
 18 individual; David A. Gean Revocable Trust  
 19 dated 4/3/92; Marshall J. Brecht Trust dated  
 20 2/5/86; Marshall R. Zerbo, an individual;  
 21 Martha W. Potter Revocable Trust; Martin  
 22 Bock, an individual; Marvin Lynn Nicola  
 23 Family Trust dated 6/13/78; Rickling Family  
 24 Trust; Marvin W. Gittelman, an individual;  
 25 Toby E. Gittelman, an individual; Mary Ann  
 26 Earp, an individual; Mary H. Earp, an  
 27 individual; Mary Ann Rees IRA; Mary Diane  
 28 Peterson, an individual; Russell Revocable  
 Trust dated 9/21/93; Molitch 1997 Trust;  
 Maureen DaCosta, an individual; M & J  
 Cauchois Family Trust dated 2/25/93; Mazal  
 Yerushalmi, an individual; McConnell Family  
 Trust dated 12/3/81; McQuerry Family  
 Partnership; McShaffrey Living Trust dated  
 3/27/81; Mel Herman, an individual; Emma  
 Herman, an individual; Melanie Cowan, an  
 individual; Melinda Estevez, an individual;  
 Richard David Estevez, an individual; Melissa  
 A. Fernandes, an individual; Dionisio  
 Fernandes, an individual; Melody J. Violet, an  
 individual; Melvin J. Ives & Evelyn A. Ives  
 Bypass Trust dated 1/6/93 c/o Melvin A. Ives  
 &; Kemer Revocable Trust B dated 3/16/81;  
 Mesa LLC, an entity of unknown origin; Mevin  
 J. Ives & Evelyn A. Ives Qtip Trust; Michael C.  
 Rehberger, an individual; Jeana L. Rehber, an  
 individual; Michael Greeley Trust dated  
 7/27/00; Michael Horak, an individual; Michael  
 J. Maloney & Jo Ann L. Maloney Revocable  
 Trust dated 12/1/04; Michael J. Messer, an  
 individual; Lisa K. Redfern, an individual;  
 Michael John Goodwin, an individual; Michael  
 K. M. Au, an individual; Michael Latorra, an  
 individual; Joan Latorra, an individual; The  
 Paul J Sapoun Grantor Retained Annuity;

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1 Percy Family Trust U/A 9/28/99; Michael  
 2 Pezzano, an individual; Lisa Pezzano, an  
 3 individual; Michael R. Brines & Cindy G.  
 4 Brines Revocable Family Trust U/A dated  
 5 11/5/94; Michael R. McCartney, an individual;  
 6 Teresa R. McCartney, an individual; Michael  
 7 Raichbart, an individual; Irit Raichbart, an  
 8 individual; Michael S. Blau, an individual;  
 9 Shamiran Blau, an individual; Michael S.  
 10 Freedus, an individual; Helen C. Freedus, an  
 11 individual; Michael S. Freedus DDS PC  
 12 Defined Benefit Pension Plan; Michael S.  
 13 Simcock, an individual; Dina M. Simcock, an  
 14 individual; Bridges Family Trust; Heffner  
 15 Family Trust dtd 9/10/02; Michael W. Ricci, an  
 16 individual; Michaelian Holdings LLC A  
 17 Nevada Limited Liability Company; Michel F.  
 18 Aiello & Patricia A. Aiello Trust Date 10/4/94;  
 19 Michel Tessel, an individual; Michele Gilbert  
 20 Custodian For Lauren J. Gilbert & Erin M.  
 21 Gilbert, Her Minor; Michelle Buys, an  
 22 individual; Mieke Donovan, an individual;  
 23 Richard Donovan, an individual; Mila Horak,  
 24 an individual; Lindsey H. Kesler Family  
 25 Revocable Trust dated 10/15/80; Milton B.  
 26 Senfeld, an individual; Barbara A. Senfeld, an  
 27 individual; Milton H. Lees III, an individual;  
 28 Milton J. Lehart, an individual; Minerva Family  
 Trust dated 11/14/96; Minter Family 1994  
 Trust; Mojave Canyon, Inc., A Nevada  
 Corporation; Monica C. Ebaugh, an individual;  
 Monica L. Hunt, an individual; Monica M.  
 Hruby, an individual; Monigheni, Inc., a  
 Nevada corporation; Monique A. Markwell, an  
 individual; Morris Mansell IRA; Morris  
 Mansell, an individual; Ram Family Trust;  
 Muks Realty LLC, a California limited liability  
 company; Nadine Morton, an individual; Nancy  
 Brauer IRA; Nancy Golden, an individual;  
 Nancy K. Haugarth Revocable Trust; Nancy R.  
 Gilmour IRA; Neil A. Xavier, an individual;  
 Josephine E. Xavier, an individual; Buckwald  
 Revocable Trust dated 2/11/92; Trustees of the  
 Nelson & Virginia Chardoul Trust dated  
 10/7/91; 2001 Steinmetz Family Trust;  
 Nicholas Loader Trust U/A; Nicole Dana Flier,  
 an individual; NMS Living Trust dated  
 12/27/01; Noel & Mary Ann Rees Family;  
 Norm Webster, an individual; Norma Lamb-  
 Groves Trust dated 2/18/03; Eugene H. &  
 Donna M. Stokes Trust dated 5/16/84; Norman  
 & Charlene Prins Revocable Living Trust dated  
 10/29/03; Norman Kiven, an individual;  
 Norman Teeter, an individual; Norman Tiano,  
 an individual; Norscot Financial Corp., a

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1 Nevada corporation; Nounna Family  
 2 Partnership; Davenport Revocable Trust dated  
 3 9/16/87; O'Connor Revocable Trust Utd  
 4 9/17/97; Olga O'Buch Trust dated 5/28/98;  
 5 Oliver F. Smith Incorporated Profit Sharing  
 6 Plan; Oliver Puhr, an individual; Omaye 1990  
 7 Trust; Orban H. Reich Trust dated 12/27/00;  
 8 Klay Living Trust dated 7/11/90; Ovca  
 9 Associates-Inc Defined Pension Pl; Pamela  
 10 Jean Marton, an individual; Panagiotis  
 11 Dovanidis, an individual; Dimitra Dovanidou,  
 12 an individual; Paola Accusani, an individual;  
 13 Pat Davis IRA; Pontak Wong Revocable Trust  
 14 dated Jan 19, 2004; Webber Family Trust dated  
 15 10/31/89; Patricia E. Von Euw Revocable  
 16 Trust; Ferguson Living Trust dated 6/28/00;  
 17 Patricia L. Tiede, an individual; Patricia R.  
 18 Lietz, an individual; Patrick F. Fenlon, an  
 19 individual; Angela B. Fenlon, an individual;  
 20 Patrick Gonzales, an individual; Rosemary  
 21 Gonzales, an individual; Patrick J. Anglin, an  
 22 individual; Doyle Family Trust; Paul Bloch  
 23 Living Trust UA 10/29/02; Paul Bruggemans,  
 24 an individual; Paul D. Graf, an individual;  
 25 Margaret A. Graf, an individual; Paul Fedrizzi,  
 26 an individual; Jane E. Fedrizzi, an individual;  
 27 Paul G. Chelew, an individual; Paul Hargis, an  
 28 individual; Susan Gail Hargis, an individual;  
 Paul L. Garcell & Pamela Hertz Revocable  
 Family Trust; Paul L. & Made Linney Trust  
 dated 10/25/96; Paul Oster, an individual;  
 Backes Family Trust dated 8/8/88; Paul Seyb,  
 an individual; Wendy M. Seyb, an individual;  
 Paula M. Lawson, an individual; Paula  
 Nordwind 2001 Revocable Trust dated  
 12/13/01; Paulius Mosinskis, an individual;  
 Payette Lakes Consulting LLC 401K Fbo John  
 S. Borkoski;; Pedro L. & Carol A. Barroso  
 Trust; Peele Spousal Trust dated 2/10/87;  
 McLaughlin-Valley Trust dated 2/24/97;  
 Penman Investment Partners L.P. a California  
 limited partnership; Brock Family Trust dated  
 5/25/95; Penny Lee Comsia Revocable Trust  
 UDT; Robert William Ulm IRA; Gary Deppe-  
 IRA; Tamara J. Perlman IRA; Percy Young, an  
 individual; Ruth Young, an individual; Perlman  
 Investment Partners L.P. a California limited  
 partnership; Peter C. Cohn, an individual;  
 Margaret H. Cohn, an individual; Peter De  
 Luca, an individual; Peter E. Sprock 2001  
 Trust; Peter L. Backes Trust; Peter T. Gacs, an  
 individual; Ute D. Gacs, an individual; Peter  
 Valve Company Inc. a Nevada corporation;  
 Peter W. Capone, an individual; Deidre D  
 Capone, an individual; Peters Family Trust



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1 dated 7/22/00; Palmintere Revocable Trust;  
 2 Phillip H. Lynch, an individual; Philip Stephen  
 3 Howell, an individual; Lisa Beth Howell, an  
 4 individual; Phillip Higert Family Trust dated 5-  
 5 30-03; Phillip Dann Goforth, an individual;  
 6 Francesca M. Goforth, an individual; Phillip E  
 7 McMullin & RosemadeL. McMullin Family  
 8 Trust dated 4/4/80, amended 3/19/94; Phillip E.  
 9 McMullin, an individual; Phillip M. Rulon, an  
 10 individual; Shirley S. Rulon, an individual;  
 11 Phyllis Marina Karr; Pioneer Accounting &  
 12 Investments LLC, a Colorado LLC; PLB  
 13 Enterprises, LLC, an entity of unknown origin;  
 14 Pleser Family Trust dated 1/28/00; Polacheck  
 15 & Associates, Inc. Profit Sharing Plan dated  
 16 2/20/73; Pompeo J. Lombardi, an individual;  
 17 Sarah A. Grant, an individual; Portal Venture,  
 18 LLC, an entity of unknown origin; Preswek  
 19 Corp., a Nevada corporation; Prince  
 20 Emmanuel, an individual; Quinn Family Trust  
 21 dated 1/11/00; R & S McTee 1995 Trust dated  
 22 4/20/95; R. David Ferrera, an individual;  
 23 Evelyn C. Ferrera, an individual; R. David  
 24 Ferrera IRA; Sacramento Research Medical  
 25 Group Defined Benefit; R. G. Messersmith, an  
 26 individual; Deaun Messersmith, an individual;  
 27 R.G.T. Millar Trust dated 6-28-1988; The  
 28 Robert J. Rowley and Kathleen M. Rowley  
 Living Trust; Rachel Rieble, an individual;  
 Rachel Wheeler Trust; Goodness Living Trust  
 dated 6/28/00; Ralph A. Shively, an individual;  
 Holder Revocable Trust; Ralph E. Worthing, an  
 individual; Maryanne H. Worthing, an  
 individual; Randall Revocable Living Trust  
 dated 05/17/90; Rare Earth Real Estate, an  
 entity of unknown origin; Raul A. Dominguez,  
 an individual; Raul A. Wood, an individual;  
 Ray L. Coffin, an individual; Syfert Trust dated  
 3/90; Raymond Brahy, an individual; Rita  
 Brahy, an individual; Raymond C. Moore, an  
 individual; Rose Moore, an individual;  
 Raymond E. & Margaret Elise Harshman  
 Family Trust dated 3/4/87; Raymond Eberlin,  
 an individual; Karen Eberlin, an individual;  
 Raymond F. Brant and Ann L. Brant Trust  
 dated 12/22/92; Anne E. Brant Survivor Trust  
 dated 5/22/87; Raymond & Sandra Nunez;  
 Raymond T. Grenier, Jr. Trust dated 2/10/93;  
 Rebecca A. Rogers Trust dated 9/18/96; A.  
 Robert De Hart Trust dated 1/21/93; Revocable  
 Living Trust Agreement of Barbara McClafflin;  
 RGF Revocable Trust; Rhoades Passive  
 Investments LLC, an entity of unknown origin;  
 Armijo Family Trust; Richard D. Barzan, an  
 individual; Lelia J. Barzan, an individual;

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1 Richard D. Luthi Trust dated 5/20/93; Wood  
 2 Lining Trust dated 10/1/99; Richard E.  
 3 Thurmond Limited Partnership, an entity of  
 4 unknown origin; Richard G. Vrbancic, an  
 5 individual; Holeyfield Family Trust dated  
 6 01/12/01; Richard Ianni, an individual;  
 7 Loughlin Family Trust; Richard Kleinbaum, an  
 8 individual; Jennifer Kleinbaum, an individual;  
 9 The Bowman 1989 Revocable Trust; Richard  
 10 L. Cadieux, an individual; Clara M. Cadieux,  
 11 an individual; Richard L. English, an  
 12 individual; Richard L. Younge IRA; Richard  
 13 M. Raker Living Trust dated 3/18/98; Richard  
 14 N. Dahlke, an individual; Richard N. Krupp, an  
 15 individual; Richard Nevins, an individual;  
 16 Michele Nevins, an individual; Richard R.  
 17 Tracy, an individual; Ursula W. Tracy, an  
 18 individual; Reno Aeronautical Corporation  
 19 Defined Benefit Retirement Plan; Richard T.  
 20 Flory Revocable Trust dated 05/30/01;  
 21 Topflight Specs Profit Sharing Plan; Rifqa  
 22 Shahin Trust dated 6/8/94; Rita K. Malkin  
 23 Trust dated 7/26/2002; Rita P. Anderson Trust;  
 24 Robert H. Perlman & Lynn R. Perlman Trust  
 25 dated 9/17/92; Robert & Alicia Goffstein Trust  
 26 dated 2/25/92; 1994 Robert Asselin & Mary  
 27 Asselin Family Trust; Robert A. Susskind, an  
 28 individual; Robert A. Cowman, an individual;  
 Sandra L. Cowman, an individual; Robert A.  
 Kehl, an individual; Tina M. Kehl, an  
 individual; Robert A. Schell IRA; Robert A.  
 Suoskind, an individual; Robert Alan Bryant  
 Sr. Revocable Trust; Robert B. Bender, an  
 individual; Paula S. Bender, an individual;  
 Robert B. Lawrence, an individual; Patricia A.  
 Lawrence, an individual; Robert D. Earp, an  
 individual; Robert D. Earp IRA; Robert D.  
 Lurie, an individual; Lois J. Swanson, an  
 individual; Mierau Living Trust; Robert E.  
 Brooks, an individual; Robert E. Burnett Jr., an  
 individual; Robert E. Levy, an individual;  
 Robert E. Meldrum, an individual; Essaff  
 Family Trust dated 6/18/02; Robert G. Baker,  
 an individual; Miriam D. Baker, an individual;  
 Robert G. Berry Jr., an individual; Jeannette K.  
 Berry, an individual; RGF Revocable Trust;  
 Robert G. Hawkins & Debra B. Hawkins  
 Revocable Trust dated 10/1/03; Robert G.  
 Sikorski, an individual; Robert G. Teeter, an  
 individual; Robert H. Perlman & Lynn R.  
 Perlman Trust dated 9/17/92; Robert J.  
 Centanni, Sr., an individual; Susan R. Centanni,  
 an individual; Robert J. Cowen Trust dated  
 11/7/97; Robert J. D'Ambrosio Contributory  
 IRA; Moretto Family Living Trust; The Robert

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1 J. Rowley and Kathleen M. Rowley Living  
 2 Trust; Robert J. Yoder Defined Benefit Plan; R.  
 3 L. Allgeier Family Trust; De Ruff 1988 Trust  
 4 dated 4/25/88; Robert L. Ogren Trust dated  
 5 6/30/92; Robert L. Pech & Judith G. Pech  
 6 Family Trust dated 9/5/96; Robert M. Barnes,  
 7 an individual; Violet M. Barnes, an individual;  
 8 Robert O. Phillips, an individual; Robert P.  
 9 Anderson Revocable Living Trust dated  
 10 10/22/01; Robert R. Wade, an individual;  
 11 Shirley E. Wade, an individual; Robert R.  
 12 Wade & Shirley E. Wade Revocable Trust;  
 13 Robert R. Wade Revocable Trust dated  
 14 5/22/01; Robert Roy Ecker, an individual;  
 15 Dobyne Living Trust; Robert S. Speckert Rev.  
 16 Living Trust dated 6/11/92; Robert S. Teeter,  
 17 an individual; Robert T. Chylak & Barbara M.  
 18 Chylak Family Trust dated 10/30/90; Robert W.  
 19 Roberts, an individual; Donna R. Roberts, an  
 20 individual; Robert W. Ulm Living Trust dated  
 21 4/11/05; Robert W. Ulm, an individual; The  
 22 2001 R.K. Hatfield Family Trust dated 6/01;  
 23 Graham Family Trust; Graham Family Marital  
 24 Trust dated 2/13/97; Robin E. McQuown, an  
 25 individual; Brian C. McQuown, an individual;  
 26 Arbogast Family Trust; Harvey Family Trust  
 27 dated 4/13/87; Hulse Family Trust; Huppi Trust  
 28 dated 1/30/1992; The Bryan Family Trust dated  
 August 19 1992; Roger Noorthoek, an  
 individual; Roger Scott Anderson, an  
 individual; Tiffany Leigh Anderson, an  
 individual; Rogle C. Madlambayan, an  
 individual; Rogle Madlambayan Trust dated  
 2/22/05; Roland J. Hearn & Risa V.S. Hearn  
 Living Trust dated 2/19/93; Kantor Family  
 Trust, dated 5/6/82; Burgarello, Inc. Profit  
 Sharing Plan; C. I. B. B. Inc. Pension Plan;  
 Ronald Alvin Johnson & Janice Burgarello  
 Trust dated 11/01/93; Ronald C. Phelps Trust  
 dated 10/19/01; Shackelford Family Trust dated  
 9/21/04; Ronald Douglas Neal, an individual;  
 Ronald G. Finkel, an individual; Karen B.  
 Finkel, an individual; Ronald G. Gardner Trust;  
 The Anthony Family Living Trust; Ronald  
 Johnson, an individual; Marilyn Johnson, an  
 individual; The Underpass Trust; Ronald K.  
 Peters, an individual; Susan A. Johnson, an  
 individual; Ronald M. Toft, an individual; Rae  
 Cazier Family Trust dated 3/09/00; Ronald R.  
 Carter & Leslie A. Carter Revocable Trust  
 dated 10/24/91; Charles A. Slam Co. Defined  
 Benefit Pension Plan dated 7/1/02; Rory L.  
 Triantos, an individual; Rosalie Allen Morgan  
 Trust dated 1/31/03; Stark Family Trust dated  
 4/2/84; Rosanne L. Clark, an individual; Rose

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1 F. Swayze, an individual; Elfriede R. Fujitani,  
 2 an individual; Rose O. Hecker, an individual;  
 3 Anita Rosenfield, an individual; Rosemarie L.  
 4 McMullin, an individual; Phillip E McMullin &  
 5 Rosemarie L. McMullin Family Trust dated  
 6 4/4/80 & amended 3/19/94; Rosy L. Tdantos,  
 7 an individual; Roxanna L. Ochoa, an  
 8 individual; Leland L. Orvis, an individual;  
 9 R&D Filkin Trust dated 9/26/90; Roy R.  
 10 Ventura Jr., an individual; Nancy B. Ventura,  
 11 an individual; Ruby Bell, an individual; Ruby  
 12 M. Hill Family Trust dated December 12, 1992;  
 13 Rubel Riehe, an individual; Rudi Eichler, an  
 14 individual; Tatjana Eichler, an individual;  
 15 Winkler Family Trust dated 3/13/86; Rudolf  
 16 Winkler IRA; Rudolph W. Moreno, an  
 17 individual; Beatriz Moreno, an individual; R &  
 18 S McTee 1995 Trust dated 4/20/95; Rugby  
 19 Associates LLP, a Maryland Limited Liability  
 20 Limited Partnership; Russell E. Mills, an  
 21 individual; Shirley A. Mills, an individual;  
 22 Russell J. Zuardo & Betty J. Zuardo  
 23 Community Property Trust Restated 5/5/00;  
 24 Quinn Family Trust dated 1/11/00; Ruth A.  
 25 Errington Living Trust dated 11/22/04; Ruth A.  
 26 Kuester Trust dated 1/29/91; Ruth Sanders, an  
 27 individual; S & P Davis Limited Partnership, a  
 28 Texas Partnership; S.A. Hanes Profit Sharing  
 Plan; S.B. Wright Family Trust dated 12/28/94;  
 Sack Family Partners, LP, an entity of unknown  
 origin; Sagrario T. Evers Living Trust dated  
 5/1/01; Salvatore Siciliano, an individual; The  
 Castanza 1987 Decedents Trust; Costanza 1987  
 Survivor's Trust dated 3/12/87; Samuel A.  
 Mammano, an individual; Karen M.  
 Mammano, an individual; Samuel & Beverly  
 Evans Living Trust; Sanchez Living Trust  
 dated 10/13/03; Sandra I. Hollander Revocable  
 Trust; Charles T. Masters & Sandra O. Masters  
 Family Trust dated 10/9/92; Miller Family  
 Trust dated 7/30/2001; Roisentul Family Trust;  
 Scheidegger Family Trust dated 12/26/01c;  
 Schell Family Trust dated 8/21/92; Schnadt  
 Trust dated 6/18/93; Schwartz & Burp Joint  
 Venture, an entity of unknown origin; Scott J.  
 Elowitz, an individual; Cynthia Elowitz, an  
 individual; Scott J. Elowitz, an individual; Scott  
 Machock, an individual; Heidi Machock, an  
 individual; Secure Retirement Trust; Scymore  
 J. Seinfeld, an individual; Helene Seinfeld, an  
 individual; Shahriar Zavosh, an individual;  
 Sharon E. Presswood IRA; Peterson Family  
 Trust; Sharon R. Fitzgerald, an individual;  
 Sharon S. Lazar, an individual; Sheerins Inc. A  
 Nevada Corporation; Sheldon & Marion G.

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1 Portman Trust dated 11/01/65; Sherry Lynne,  
 2 an individual; Collins Family Trust; Ronald G.  
 3 Doe Marital Trust DTD 1-6-95; Shirley E.  
 4 Schwartz Revocable Living Trust; Shirley J.  
 5 Finlay, an individual; Shirley M. Reinesch  
 6 Revocable Living Trust; Shirley Payne, an  
 7 individual; Larson Family Trust; Sierra West,  
 8 Inc., A Nevada Corporation; Sigfried Baker, an  
 9 individual; Simmtex Inc. a Nevada corporation;  
 10 Simon Family Trust 2000; Simpson Family  
 11 Trust dated 1/13/04; Snopko 1981 Trust dated  
 12 10/27/81; Sondra Skipworth Revocable Trust  
 13 dated 11/28/01; Sovereign Capital Advisors  
 14 LLC a Nevada limited liability company;  
 15 Spectrum Capital LLC a California limited  
 16 liability company; Spina Family Trust dated  
 17 3/8/01; Stan A. Hanes & Vicki M. Hanes  
 18 Revocable Trust DTD 9/15/03; Stanley C.  
 19 Germain, an individual; Dorothy Germain, an  
 20 individual; The Stanley M Novara Family Trust  
 21 dated 11/12/04; Stater Family Ltd Partnership,  
 22 an entity of unknown origin; Stefan R. Cavin  
 23 Revocable Living Trust; Stellar Innovations  
 24 Inc, an entity of unknown origin; Stephen C.  
 25 Irwin, an individual; Hawley Family Trust  
 26 dated 8/15/96; Stephen & Patricia Lincoln;  
 27 Stephen V. Kowalski, an individual; Maria T.  
 28 Sutherland, an individual; Sterling Family Trust  
 dated 6/14/02; Steve Lindquist Charitable  
 Remainder Unitrust dated 09/09/96; Steve M.  
 Colamonico, an individual; Anita J. Colamonico,  
 an individual; Steven & Ingrid Boehm Trust  
 dated 3/29/89; Steven B. Tomac, an individual;  
 Laura J. Tomac, an individual; Steven C.  
 Altman, an individual; Steven M. & Margaret  
 W. Terry Trust Dated March 31 1995;  
 Stevenson Pension Trust dated 1/7/94; STSK  
 Investments LLC, an entity of unknown origin;  
 Stuart J. Madsen Trust dated 9/7/00; Stuart M.  
 Rosenstein, an individual; Deborah H.  
 Rosensein, an individual; Suhayla Shahin  
 Living Trust dated 7/9/02; Sunrise Mini-  
 Storage, an entity of unknown origin; Susan C.  
 Grush, an individual; Susan L. Kehl Ulautma,  
 an individual; Susan M. Slater, an individual;  
 Susie & William Lurtz 1991 Trust dated  
 3/18/91; Suzanne Brehmer, an individual;  
 Suzanne L. Arbogast, an individual; Carolyn J.  
 Chrzaszek, an individual; Suzanne M.  
 Halvorson Trust dated 3/21/03; Suze  
 Harrington, an individual; Sydney J. Siemens  
 1997 Revocable Trust dated 5/23/97; Sylvia  
 Goldenthal, an individual; Jack Goldenthal, an  
 individual; Sylvia M. Good Survivors Trust  
 established under the Sam Good Family Trust



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1 dated 6/25/86 as amended & restated; T.D.S.  
 2 Revocable Family Trust dated 9/29/98; T03  
 3 Enterprises, LLC, an entity of unknown origin;  
 4 T112 Enterprises, LLC, an entity of unknown  
 5 origin; T-2 Enterprises LLC, an entity of  
 6 unknown origin; T-3 Enterprises LLC, an entity  
 7 of unknown origin; Tad Folendorf, an  
 8 individual; Tad Stephen, an individual; Diane  
 9 Stephen, an individual; Helms Grandchildren  
 10 Educational Trust For the Benefit of Jarod Dias  
 11 dated 7/21/98; Separate Property Trust of  
 12 Tamara Dias dated 12/04/00; Tara Sindler, an  
 13 individual; Ted L. Melvin, an individual; Terry  
 14 A Zimmerman Revocable Living Trust dated  
 15 9/4/90; Honikman 1992 Trust; Teri L. Melvin,  
 16 an individual; Terrence D. Conrad, an  
 17 individual; Doreen C. Conrad, an individual;  
 18 Terrill Family Revocable Living Trust dated  
 19 3/11/02; Markwell Family Trust; Terry  
 20 Markwell Profit Sharing Plan & Trust; Terry  
 21 Thomas Young, an individual; TGBA  
 22 Properties, an entity of unknown origin; Thalia  
 23 Routsis Family Trust dated 7/24/90; The 1991  
 24 Agliolo Revocable Living Trust; The Anthony  
 25 Bilotto Trust dated 01/16/03; The Baltes  
 26 Company, a Michigan corporation; The  
 27 Barbara M. Sanchez 2002 Revocable Living  
 28 Trust dated 4/4/02; The Benz Family Trust  
 dated 7/14/95; The Chiappetta Trust dated  
 4/1/03; The Donald S. Tomlin & Dorothy R.  
 Tomlin Revocable Trust dated 10/24/79; The  
 Ernest W. Libman & Cleone Libman Family  
 Trust dated 3/11/93; The Holland Family Trust  
 dated 1993; The Jesse J. Kelsey Revocable  
 Living Trust dated 4/16/85; The Murphy  
 Family Trust; The Noxon Family Trust; The  
 Reva H. Nelson Family Trust; The Robert J.  
 Rowley & Kathleen M. Rowley Trust; The  
 Roger & Joann Phillips Revocable 2001 Trust;  
 The Schmitt Trust; The Sherri Family LLC, a  
 Nevada limited liability company; The Sisk  
 Family Foundation; an entity of unknown  
 origin; The Stanley M Novara Family Trust  
 dated 11/12/04; The Stimpson Family Trust  
 dated 5/9/00; The Welcher Family Trust dated  
 7/13/99; The William L. Scheer & Mary L.  
 Scheer Trust; Theodora Gottwald, an  
 individual; Fuller Family Trust dated 5/29/97;  
 Fuller Family Foundation; Theresa M. Farrah,  
 an individual; Thomas Avena, an individual;  
 Cindy Avena, an individual; Avena Living  
 Trust dated 3/28/84; Harrison Family Trust  
 dated 7/27/99; Thomas Di Jorio, an individual;  
 Antonette Di Jorio, an individual; Bishofberger  
 Restated Family Trust U/A 9/8/95; Nuckols

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1 2004 Revocable Trust U/D/T 10/4/2004;  
 2 Thomas H. Gloy, an individual; Thomas  
 3 Halvorson, an individual; Joanne Halvorson, an  
 4 individual; Thomas N. Smith, an individual;  
 5 Deborah L. Bertossa, an individual; Thomas R.  
 6 Sanford, an individual; Anne H. Sanford, an  
 7 individual; Thomas Raymond Conway, an  
 8 individual; Victoria C. E. Conway, an  
 9 individual; Thomas T. Harrington, an  
 10 individual; Beverly J. Harrington, an  
 11 individual; Thomas T. Riedman, an individual;  
 12 T.J. Trust dated 7/24/97; Thompson 1993 Trust  
 13 dated 1/26/93; Hanison Family Trust dated  
 14 7/27/1999; Tiki Investment Enterprises L.P. a  
 15 Nevada Limited Partnership; Timothy  
 16 Folendorf Trust dated 3/21/00; Gaston Trust  
 17 dated 12/31/02; Jairo A. Castillo, an individual;  
 18 TK & Associates, A Minnesota Company;  
 19 Tobias Von Euw Revocable Trust dated  
 20 11/23/04; Toby A. Gunning, an individual;  
 21 Toby Lee Rosenblum Trust dated 9/11/95;  
 22 Laena Emmerich Survivors Trust dated  
 23 5/18/89; Todd Charles Maurer, an individual;  
 24 Tomczak Family Trust dated 4/25/83; Tracy A.  
 25 DeBery, an individual; Tracy Cavin Family  
 26 Trust UTD 11/10/03; Tripp Enterprises Inc. a  
 27 Nevada corporation; Arthur I. Kriss IRA;  
 28 Charles A. Starr Defined Benefit Pension Plan  
 7/1/02; Universal Management, Inc., an entity  
 of unknown origin; V. R. & Reba F. Marine  
 Trust dated 10/22/01; Valerie Callahan, an  
 individual; Van Damme Family Trust; Vernon  
 Olson, an individual; Veslav Orvin, an  
 individual; Yelena V. Ilchuk, an individual;  
 Vickie Pieper Living Trust dated 9/16/05;  
 Vickie Pieper, an individual; Vicky L.  
 Nakashima, an individual; Victor Bruckner, an  
 individual; Sally Bruckner, an individual;  
 Birgen Family Trust; Virgil P. Hennen, an  
 individual; Judith J. Hennen, an individual;  
 Virginia M. Hansen, an individual; V.R. &  
 Reba F. Marrone Trust dated 10/22/01; W. E.  
 Buck Family Trust dated 7/02/87; W. L.  
 Montgomery, Jr., an individual; Wald Financial  
 Group Inc., an entity of unknown origin; Wald  
 Financial Group Inc. Defined Benefit Pension  
 Trust; Wald Financial Group Inc. Defined  
 Benefit Pension Trust 2; Walter C. Tripp, an  
 individual; Walter Klevay, an individual; Gall  
 KLevay, an individual; Musso Living Trust  
 dated 11/30/92; Warren W. Tripp, an  
 individual; Tripp Enterprises Inc. Restated  
 Profit Sharing Plan; Wayne A. Dutt Trust;  
 Wayne P. Tarr, an individual; Elizabeth G.  
 Tarr, an individual; Wayne S. Miller, an

1 individual; Kathryn A. Miller, an individual;  
 2 Webster I. Beadle, an individual; Susanne  
 3 Beadle, an individual; Weible 1981 Trust dated  
 4 6/30/81; Weinman Family Trust dated 9/6/96;  
 5 Wendell Andersen, an individual; Barbara  
 6 Andersen, an individual; Wendy Kwong, an  
 7 individual; Wengert Family Trust dated  
 8 2/20/98; Wesley L. Monroe, an individual;  
 9 Jeannie M. Monroe, an individual; What's On  
 10 LLP, an entity of unknown origin; Whitehurst  
 11 Fund LLC, an entity of unknown origin;  
 12 Whitney H. Lauren Family Trust dated 3/5/98;  
 13 Wilbur A. Schaff, an individual; Judy K.  
 14 Schaff, an individual; Wild Water Limited  
 15 Partnership, A Nevada Partnership; William  
 16 Ogren, an individual; Betty Ogren, an  
 17 individual; William H. and Donna R. Morgan  
 18 Living Trust dated 6/7/04; William A. Banos,  
 19 an individual; Angel J. Banos, an individual;  
 20 William A. Carone IRA; William A. Downey,  
 21 an individual; William A. Zadel Revocable  
 22 Family Trust; William B. Fitzgerald, an  
 23 individual; Sharon R. Fitzgerald, an individual;  
 24 William Bolding, an individual; Carolyn  
 25 Bolding, an individual; William Boyce II, an  
 26 individual; Alice D. Boyce, an individual;  
 27 Eastland Family Joint Living Trust dated  
 28 1/18/00; Botton Living Trust dated 11/17/00;  
 W.E. Buck Family Trust dated 7/2/87; William  
 F. Errington, an individual; William G.  
 Warwick, an individual; Virginia B. Warwick,  
 an individual; Favro Trust dated 9/14/00;  
 William H. Lenhart Living Trust; William  
 Harrison Goulding, an individual; Elizabeth R.  
 Goulding, an individual; William J. Hinson Jr.,  
 an individual; Ovca Associates Inc. Defined  
 Pension Plan; William J. Sandberg, an  
 individual; Shang'ling J. Tsai, an individual;  
 William L. Graham, an individual; Wilta L.  
 Graham, an individual; McQuerry Family  
 Partnership; McQuerry Family Trust dated  
 1/25/80; William Lee Reeves, an individual;  
 William Lukasavage, an individual; Joanne  
 Lukasavage, an individual; William M.  
 Bettencourt, Jr. IRA; Susie & William Lurtz  
 1991 Trust dated 3/18/91; Buechner Family  
 Trust; William R. Godfrey, an individual;  
 Cynthia Godfrey, an individual; William R. &  
 Cynthia J. Godfrey Living Trust 2005; William  
 R. Long, an individual; William Richard  
 Moreno, an individual; William T. Hoover, an  
 individual; William W. Lee & Teresa H. Lee  
 2003 Family Trust Agreement dated 6/26/03;  
 William W. Ogren, an individual; Betty R.  
 Ogren, an individual; Wilma Jean Thompson,

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1 an individual; Voss Family Trust; Daniel  
 2 Family Trust; Woods Family Trust; Work  
 3 Holdings Inc. an Arizona corporation; X-  
 4 Factor, Inc., a Nevada corporation; Yankee  
 5 Holdings LLC a Arizona corporation; Yit  
 6 Tisoni, an individual; Young Jin Park, an  
 7 individual; Sejin Park, an individual; Zawacki a  
 8 California LLC; and DOES I through V and  
 9 ROES I through V, inclusive

10 Defendants.

11 COMES NOW the Plaintiffs, ASSET RESOLUTION, LLC, ("Asset Resolution"); SILAR  
 12 ADVISORS, LP ("Silar Advisors") and Silar SPECIAL OPPORTUNITIES FUND, LP ("Silar  
 13 Special ") (collectively "Silar"), by and through their counsel of record, the law firm of Greenberg  
 14 Traurig, LLP, and for their claims of relief against the Defendants, and each of them, alleges and  
 15 complains as follows:

#### 16 PARTIES

17 1. Plaintiff ASSET RESOLUTION was at all times pertinent hereto, and still is, a  
 18 Delaware limited liability company.

19 2. Plaintiff SILAR ADVISORS was at all times pertinent hereto, and still is, a  
 20 Delaware limited partnership.

21 3. Plaintiff SILAR SPECIAL OPPORTUNITIES FUND, LP was at all times pertinent  
 22 hereto, and still is, a Delaware limited partnership, and a resident of the state of New York.

23 4. At all times herein mentioned, Defendant Donna Cangelosi was at all time pertinent  
 24 hereto, and still is, a resident of the state of Nevada.

25 5. At all times herein mentioned, Defendant Donald Pinsker, was at all times pertinent  
 26 hereto, and still is, a resident of the state of Nevada.

27 6. At all times herein mentioned, Defendant Jon Jensen, was at all times pertinent  
 28 hereto, and still is, a resident of the state of Arizona.

7. At all times herein mentioned, Defendant Stuart Madsen, was at all times pertinent  
 hereto, and still is, a resident of the state of California.

8. At all times herein mentioned, Defendant Oakbridge Capital, Inc., was at all times

1 pertinent hereto, and still is, a resident of the state of Delaware.

2 9. At all times herein mentioned, Defendant Morris Massry, was at all times pertinent  
3 hereto, and still is, a resident of the state of New York.

4 10. At all times herein mentioned, the remaining Defendants, were at all times pertinent  
5 hereto, and still are, residents of the respective states identified in Exhibit 1, incorporated herein as  
6 if set forth in full herein.

## 7 GENERAL ALLEGATIONS

### 8 USACM'S BUSINESS

9 11. USA Commercial Mortgage ("USACM") was in the business of brokering and  
10 servicing high risk, high interest, short term commercial loans ("Loans") primarily secured by  
11 residential and commercial real estate developments. USACM loaned money at very high interest  
12 rates to borrowers whose credit rating or whose projects were sufficiently risky that money was not  
13 available to them from conventional lending sources. In a typical USACM Loan transaction, a  
14 large number of individual hard money investors ("Hard Money Investors," "Direct Lenders" or  
15 "Lenders") (often 200-300 for one Loan) would be grouped together by USACM, acting as a  
16 broker, to make a Loan.

17 12. These Lenders invested their capital with USACM on these highly speculative  
18 Loans on promised rates of return to them of 12 to 14 percent or higher. Typically, these Hard  
19 Money Investors would not underwrite, review, or otherwise analyze the particular property in  
20 which they were investing, before placing their money with USACM for the purchase of the  
21 Loans.

22 13. USACM would then service the Loans on the behalf of the Hard Money Investors.  
23 For its services as broker and servicer, USACM was entitled to receive a fee, payable in  
24 accordance with contractual provisions contained in various Loan Servicing Agreements  
25 ("LSAs").

26 14. Each Hard Money Investor holds a fractional, beneficial interests in one or more  
27 Loans that were brokered by USACM. Each Loan is secured by real property located throughout  
28 the United States.

15. The transaction was structured so that, at the time of their initial investment with



1 USACM, each Hard Money Investor would execute an LSA with USACM. The LSAs establish  
 2 the contractual relationship between the Lenders and USACM, or any delegatee, successor Loan  
 3 servicer or assignee of the Loan servicing rights. While many Lenders invested in more than one  
 4 USACM Loan, they entered into only one LSA, and that LSA governed the relationship between  
 5 the Lender and USACM.

6 16. While USACM and the Lenders entered into different forms of LSA approximately  
 7 70% of the Hard Money Investors have the same form of LSA.

8 The Loan Servicing Agreements

9 17. The form of LSA to which the majority of Lenders are parties provides, and each  
 10 Lender agreed, among other things, that:

- 11 a. The Loan servicer's compensation consists of (i) an annual or base servicing  
 12 fee; (ii) any late charges collected from the borrower pursuant to the terms  
 13 of the relevant promissory note; (iii) default interest collected from the  
 14 borrower pursuant to the terms of the relevant promissory note;
- 15 b. The Loan servicer may delegate specific Loan servicing functions to credit  
 16 bureaus, real estate tax service companies, real estate brokers or agents,  
 17 appraisers, attorneys, trustees or others;
- 18 c. The LSA is binding upon and shall inure to the benefit of the parties'  
 19 respective successors and assigns;
- 20 d. The Loan servicer will exercise its business judgment in taking steps to  
 21 collect payment from the borrower under the note should the borrower fail  
 22 to make payment as required by the note;
- 23 e. The holders of 51% of the beneficial interests in a Loan may terminate the  
 24 Loan servicer, for cause only;
- 25 f. The Loan servicer may accept a discounted pay-off or short-sale upon the  
 26 consent of the holders of 51% of the beneficial interests in a Loan and that a  
 27 Lender's failure to object to the discounted pay-off or short sale is deemed  
 28 to be a consent; and
- g. The Hard Money Investor is obligated to fund out of pocket costs associated

with a foreclosure of a Loan.

18. While some LSAs do not contain each of these provisions, there are elements common to all LSAs. For example: (i) no LSA prohibits the assignment of the Loan servicing rights and obligations; (ii) each LSA permits the Loan servicer to exercise its business judgment in pursuing collection following a default by the borrower; (iii) each LSA obligates the Lender and not the Loan servicer to fund out of pocket costs associated with a foreclosure of or other collection on a Loan; and (iv) each LSA provides that the Loan servicer may only be terminated for cause, upon proper notice, and then only upon the election of the holders of 51% or more of the outstanding beneficial interests in the Loan held by the Lenders.

19. The LSAs and Notes together provide that any monies received by the Loan servicer on account of the Loan are to be applied to the repayment of any servicing advances and to payment of the servicer's compensation before distribution of any amounts due to the Hard Money Investor.

#### Asset Resolution's Interest

20. Following an auction in the USACM bankruptcy, Compass USA SPE, LLC ("Compass") purchased USACM's interest in and rights under the LSAs, together with certain Loan participation interests held by USACM's co-debtor, First Trust Deed Fund, LLC (collectively, the "Purchased Assets").

21. Silar Advisors, on behalf of its managed fund, financed Compass' acquisition of the Purchased Assets, which assets were pledged as collateral to secure Compass' obligation to repay the Loan extended by Silar Advisors.

22. Silar Advisors, on behalf of its managed funds, assigned all of its interest in the Compass financing to Asset Resolution. Thereafter, Asset Resolution foreclosed on Compass and is now a party to the LSAs and the owner of, among other things, all contract rights thereunder.

#### The formation of the Lenders Protection Group and Acts in Violation of the LSAs

23. The Lenders Protection Group ("LPG") was formed in late November 2006, with financial contributions from about 400 Hard Money Investors. The LPG was formed out of network of Lenders organized by Cangelosi during the USACM bankruptcy case, many of whom had unsuccessfully objected to the sale of USACM's servicing rights to Compass and to

1 USACM's plan of reorganization. Cangelosi was the founder and leader of the LPG and  
2 participated, both individually and through the LPG, in the bankruptcy case. The LPG raised  
3 money, and continues to do so, to fund litigation against Compass, Silar Advisors, LP, Silar  
4 Special Opportunities Fund, LP and Asset Resolution, LLC, and generally to advance its interests  
5 and the interests of its members. The LPG has spent sums for attorneys fees and fees for other  
6 professionals, for road shows designed to solicit Direct Lenders to join the various limited liability  
7 companies that were the initial plaintiffs in this case (the "LLCs") and for, among other things, an  
8 automated telephone messaging system to spread misinformation and distrust among the Lenders.  
9 Such conduct is at odds with the letter and spirit of the LSAs and the terms and provisions of the  
10 sale transaction.

11 24. The LPG and its members have engaged in conduct intended to defeat Compass'  
12 and Asset Resolution's performance of their obligations under the LSAs. For example, shortly  
13 after Compass acquired its interests in the Purchased Assets, on March 27, 2007, Hard Money  
14 Investor Kesler wrote to the borrower for the Lerin Hills Loan, Arthur Godines, and informed him  
15 that "[a]s of this morning, I have received 68 faxed copies of a Limited Power of Attorney that will  
16 give us the ability to pull this Loan servicing agreement from Compass Partners."

17 25. Kesler also informed Godines that "it is our intent to deal directly with you" thereby  
18 usurping the servicing rights for which Compass paid approximately \$67 million in the  
19 Bankruptcy.

20 26. Additional examples of improper LPG conduct include:

- 21 a. On February 3, 2007, Cangelosi sent an email to all Standard Property Loan  
22 Lenders requesting that they "send notice [to Compass] now, loud and clear,  
23 that the Direct Lenders are not available for any more rape."  
24 b. The LPG website, operated and maintained by Cangelosi and the LPG,  
25 referred to Compass as "Buffalo Hunters" that "do not care how many they  
26 slaughter as long as they get their steak."  
27 c. On or around February 15, 2007, Cangelosi emailed Greg Garman (a  
28 member of the USACM Lenders' Committee) and other Hard Money  
Investors and asked Mr. Garman, "Why are you permitting a predator to

1 purchase the interests in the LSAs?"

2 d. On or around February 21, 2007, before Compass had even had a chance to  
3 form a relationship with Lenders, a Hard Money Investor Loan Captain  
4 advised all Lenders in the Cabernet Loan that Compass "will be up to no  
5 good, only looking out for THEIR interest."

6 27. Less than two weeks after Compass closed on its acquisition of the Purchased  
7 Assets, the LPG published and distributed a March 1, 2007 newsletter containing a heading "Why  
8 Compass is the Enemy" and stated "we are now facing this new predator, Compass Partners, who  
9 is in direct conflict with us, the Lenders."

10 28. The newsletter acknowledged that "under our Loan Servicing Agreements, a Loan  
11 Servicer, in good standing, may be entitled to keep default interest if they collect it from the  
12 borrowers." The newsletter also states that the Plan Confirmation Order entered in the bankruptcy  
13 case "arguably did not grant Compass" the right to receive "accrued default interest and late fees"  
14 from "the principal due Lender at payoff if not collected form the Borrowers." The newsletter also  
15 claimed that Compass had the incentive to delay "by any means at their disposal" the payoff of the  
16 Loans.

17 29. The March 1 newsletter also stated that the LPG had been in contact "with multiple  
18 borrowers" relating to the Loans and suggests that Compass had been acting illegally and/or in  
19 breach of the LSAs by pursuing the recovery of default interest and late fees.

20 30. Also in March 2007, Cangelosi and the LPG began soliciting proxies from Lenders  
21 to terminate Compass. During this process, Cangelosi and the Loan Captains convinced Lenders  
22 to convey their beneficial interest in the Loans to Nevada limited liability companies (the "LLCs")  
23 that were created by Cangelosi relative to each Loan. In return, the Lenders received a  
24 proportional membership interest in the LLC.

25 **The LLCs and the purported termination of Compass**

26 31. Prior to May 18, 2007, Lenders purporting to be the holders of 51% of the  
27 outstanding beneficial interests in the 3685 San Fernando, 5055 Collwood, 6425 Gess, 60<sup>th</sup> Street  
28 Ventures, Amesbury Hatters Point, Anchor B, Bar-USA, Bay Pompano, Binford, Brookmere,  
Bundy Canyon 5.725, Bundy Canyon 2.5, Bundy Canyon 5.0, Bundy Canyon 7.5, Cabernet,

1 Castaic II, Castaic III, Charlevoix, Clear Creek Plantation, Com Vest, Copper Sage II, Cornman  
2 Toltec, Del Valle Livingston, Eagle Meadows, Fiesta Murietta, Fiesta USA Stoneridge, Foxhills  
3 216, Gramercy Court, Harbor Georgetown, Hesperia, HFA Clearlake I, HFA Clearlake II,  
4 Huntsville, La Hacienda, Lake Helen Parnters, Lerin Hills, Margarita Annex, Marlton Square I,  
5 Marlton Square II, Mountain House, Oak Shores II, Ocean Atlantic 2.75, Ocean Atlantic 9.425,  
6 Palm Harbor, Shamrock Tower, So Cal Land, Standard Property, Tapia Ranch, Ten Ninety 4.15,  
7 Gardens 2.425 and Gardens Timeshare Loans had transferred their interest in the Loans to the  
8 specific LLC of the same name.

9 32. By letters dated May 18, 2007, Lender 2 Lender, LLC ("L2L"), another company  
10 formed by Cangelosi to ultimately take over the servicing of the Loans, sent letters to Compass  
11 stating that Compass' rights to service the Loans had been terminated based on the purported  
12 election of the holders of 51% of the beneficial interests in the Loans. The letters were sent  
13 without prior notice to Compass, without specifying cause for Compass' purported termination and  
14 in violation of the LSAs.

15 33. By separate letters of that date, L2L informed the borrowers on the Loans that  
16 Compass had been terminated as Loan servicer and was "not authorized to act on behalf of the  
17 Lenders of the Loan for any purpose whatsoever" and warned the borrowers that "[a]ll payments  
18 made to Compass shall be at your own peril." The letters instructed borrowers to make all future  
19 Loan payments to L2L rather than Compass.

20 34. During this time, the LPG also expanded its list of targets to include Silar.

21 35. In July of 2007, Defendant Rodger Stubbs, an agent of and spokesman for the LPG,  
22 sent an email to Robert Leeds of Silar threatening to initiate a \$100 million RICO suit against Silar  
23 unless Silar agreed to the LPG demands. For example, the email states that Silar may want to "opt  
24 out as I realize the disclosure headaches that you may have as a result of a \$100 million lawsuit  
25 and how that could affect your management of the Hedge Fund." The email concludes: "the  
26 bottom line is that you will most likely lose the money that you spent backing the Compass play.  
27 It didn't work. The question is, do you want to lose that money, and be subject to the liability of  
28 tort actions in addition to a possible RICO action? You have the power to bring this nasty  
litigation to an end."

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1           36. As a result of the LPG's actions and the actions of its members, Compass lost more  
2 than \$25 million in equity, became unable to repay the Loan from Silar Advisors and was  
3 ultimately driven out of business. These same acts had a severe negative impact on the value of  
4 the assets that Compass had acquired from USCAM and severely and negatively impacted the  
5 value of the collateral held by Silar. Further, expert analysis establishes that these acts of  
6 interference have diminished the value of the collateral by \$150 million, severely harming Silar  
7 and Asset Resolution.

8 **Compass Pursues Cangelosi and others for contempt**

9           37. On May 25, 2007, Compass filed with the Bankruptcy Court an Emergency Motion  
10 for an Order Pursuant to 11 U.S.C. §§ 105 and 1141 Enforcing Confirmation Order and for Civil  
11 Contempt Sanctions (the "Enforcement Motion"). The Enforcement Motion sought, among other  
12 things, an order directing Cangelosi and other Lenders specified therein, to comply with the  
13 express terms of the Confirmation Order and the LSAs.

14           38. Following briefing by the parties, the Bankruptcy Court held a hearing on the  
15 Enforcement Motion on June 20, 2007. At the hearing, Judge Riegler directed Cangelosi to mail a  
16 letter to all borrowers advising them that Cangelosi's May 18, 2007 correspondence was "void and  
17 of no effect," that Compass remains the exclusive entity authorized to act on behalf of the Lenders  
18 on the Loans, and that all payments on the Loans should continue to be made directly to Compass.

19           39. Cangelosi sent a two-page letter to all Lenders reporting on the June 20, 2007  
20 hearing. This letter failed to mention Judge Riegler's ruling that Compass remained the exclusive  
21 entity authorized to act on behalf of the Lenders in the Loans.

22           40. Compass sent a letter to Cangelosi on July 20, 2007 advising that Cangelosi, the  
23 LPG and the LLCs had not complied with Judge Riegler's order and that a letter must be sent to  
24 borrowers advising them that the LLCs' purported termination of Compass was void and of no  
25 effect. Compass' letter also informed Cangelosi that Compass had learned that Lenders affiliated  
26 with Cangelosi and the LPG were still contacting borrowers and directly negotiating payments of  
27 their Loans in violation of the LSAs. Cangelosi failed to respond to Compass' July 20 letter or  
28 otherwise acknowledge her failure to comply with Judge Riegler's June 20, 2007 order.

41. On July 24, 2007, Compass filed in the Bankruptcy Court a Motion For Order

1 Pursuant to 11 U.S.C. § 105 Compelling Compliance with the June 20, 2007 ruling of the  
2 Bankruptcy Court (the "Second Enforcement Motion").

3 42. On July 26, 2007, Cangelosi sent another letter to borrowers. Again, this letter did  
4 not comply with Judge Riegler's June 20, 2007 ruling; instead it erroneously informed borrowers  
5 that the Bankruptcy Court "entered an order temporarily staying and enjoining the Lenders  
6 termination of Compass" and that Cangelosi was "confident their termination of Compass was  
7 proper."

8 43. A hearing was held on July 27, 2007 in the Bankruptcy Court. At the hearing,  
9 Judge Riegler called Cangelosi's letter "totally inappropriate in a letter that is meant to ensure that  
10 borrowers still pay Compass." Judge Riegler ordered Cangelosi to send another letter to the  
11 borrowers and to all Lenders affiliated with Cangelosi. Judge Riegler ordered that this letter  
12 include explicit language advising that the purported termination of Compass by the LLCs was  
13 "ineffectual," and that Compass remains the servicer of the Loans pending further order of the  
14 Court.

15 44. Judge Riegler further ordered that this letter explicitly state that "Compass remains  
16 the exclusive entity authorized to act on behalf of all Lenders in the Loan." Judge Riegler also  
17 ordered that a copy of the Bankruptcy Court's Order (entered thereafter on August 1, 2007) be  
18 attached to each letter.

19 45. The August 1 Order provided that, until further order of a court of competent  
20 jurisdiction: (i) all Lenders are enjoined, prevented and restrained from terminating Compass, or  
21 effectuating any change or replacement of Compass as their Loan servicer, (ii) Compass remains  
22 the Loan servicer with respect to all Loans, and (iii) Lenders are enjoined from initiating contact  
23 with the borrower in any Loan which undermines Compass' exclusive authority to act on behalf of  
24 the Lenders as Loan servicer, or purports that an entity other than Compass is authorized to  
25 negotiate with the borrower on behalf of the Lenders in such Loan.

26 46. Cangelosi sent the letter required by Judge Riegler on or about August 6, 2007.

27 47. Despite Judge Riegler's explicit orders, Cangelosi and certain members of the LPO  
28 continued to engage in communications with borrowers because of Cangelosi's stated intention  
that "[i]f you get Compass out of the way, then you get a better deal for the [Lenders]. Straight

1 and Simple." Cangelosi admitted to communicating with at least eight borrowers about their  
2 Loans between August 1, 2007 and September 8, 2007.

3 48. For example, Cangelosi admitted to communicating with Kent Hoggan, a borrower,  
4 between September 1<sup>st</sup> and September 8<sup>th</sup> of 2007, about whether a notice of default had been  
5 issued against his property or if Compass had begun foreclosure proceedings against his property.  
6 Cangelosi and Hoggan also communicated about the possibility of the Lenders forbearing if  
7 Hoggan again began paying interest on the Loan.

8 49. Cangelosi also admitted to multiple conversations with Abel Godines, the borrower  
9 in the Lerin Hills Loan between August 1, 2007 and September 8, 2007 about the status of the  
10 Loan. During this time period, Loan Captain Kesler also communicated with Godines about the  
11 Lerin Hills Loan. Cangelosi developed such a close relationship with Godines that, she testified,  
12 he called her "almost crying" about his inability to make good on his obligations.

13 50. Cangelosi also admitted to speaking to Bob Russell, the borrower in several  
14 USACM Loans, including the Copper Sage Loan, in or around July 2007. Cangelosi asked Russell  
15 if he was willing to dismiss a lawsuit against Lenders in the Copper Sage Loan if those Lenders  
16 sold their interest in the Loan to a vulture fund.

17 51. As a result of Cangelosi's improper conduct, on November 6, 2007, the United  
18 States District Court entered an order holding, among other things, that "any and all efforts to  
19 terminate Compass as servicer of the Loans heretofore taken by Cangelosi, FDH, L2L, or the  
20 LLCs were void and without effect, including, but not limited to, the purported termination of  
21 Compass as servicer of the Loans pursuant to the letters executed by Cangelosi on behalf of FDH  
22 as purported manager of the LLCs dated May 18, 2007."

23 52. To this very date, Cangelosi has continued to interfere with the servicing activities  
24 of Asset Resolution, inserting herself into Asset Resolution's efforts during 2008 and 2009 to sell  
25 a foreclosed upon property in Houston for the benefit of all the Lenders with interests in that Loan.  
26 The activities of Cangelosi and others who acted in concert with her were the direct and proximate  
27 cause of a decrease in value for the property of more than \$8 million.

28 53. No proper or legally effective notice of termination has ever been served on  
Compass, Silar or Asset Resolution.

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**FIRST CAUSE OF ACTION****(Declaratory Judgment – Asset Resolution against all Defendants)**

54. Plaintiffs reallege and replead each and every allegation of the preceding paragraphs as fully set forth hereunder.

55. Asset Resolution is the current owner of the rights under, and is a party to, the LSAs, and is the successor to Compass' rights thereunder.

56. An actual, ripe and justiciable controversy has arisen and now exists between Asset Resolution on the one hand, and the Defendants on the other as follows:

- a. Asset Resolution contends that no termination of the Loan servicing rights or the LSAs has occurred. Defendants contend, however, that Compass was terminated as Loan servicer and therefore Asset Resolution did not acquire the Loan servicing rights when it foreclosed on Compass.
- b. Asset Resolution contends that the Notes and LSAs provide for the payment to the Loan servicer of its compensation, including, but not limited to, default interest and late fees, relative to an individual Loan before payment to the Lenders on that Loan of the sums due them. Defendants contend, however, that the Lenders are entitled to receive payments of principal and ordinary interest before the Loan servicer is able to receive payment of its compensation represented by default interest and late fees.
- c. Asset Resolution contends that pursuant to the terms of the LSAs, the Lenders may only terminate the Loan servicer for cause upon the election of the holders of 51% of the beneficial interests in a given Loan to do so. Defendants contend, however, that cause need not be established for a termination to be effective.
- d. Asset Resolution contends that there is no current basis to terminate Asset Resolution as the Loan servicer. Defendants contend, however, that cause exists to terminate Asset Resolution as Loan servicer.
- e. Asset Resolution contends that the LSAs obligate the Lender, and not the Loan servicer, to fund advances to protect the Lender's interest in the Loan

and the collateral property. Defendants contend, however, that the LSAs require the Loan servicer to fund advances.

57. A determination of the disputes set forth in paragraph 54 above is necessary and appropriate at this time to resolve the contractual disputes between Asset Resolution and Defendants.

### **SECOND CAUSE OF ACTION**

#### **(Breach of Contract – Asset Resolution against all Defendants)**

58. Plaintiffs reallege and replead each and every allegation of the preceding paragraphs as fully set forth hereunder.

59. Asset Resolution is the current owner of the rights under, and is a party to, the LSAs, and is the successor to Compass' rights thereunder.

60. Asset Resolution and each of the Lenders are contractual counter-parties to the LSAs.

61. Each LSA provides, among other things, that:

- a. The Loan servicer's compensation consists of (i) an annual or base servicing fee; (ii) any late charges collected from the borrower pursuant to the terms of the relevant promissory note; (iii) default interest collected from the borrower pursuant to the terms of the relevant promissory note;
- b. The Loan servicer may delegate specific Loan servicing functions to credit bureaus, real estate tax service companies, real estate brokers or agents, appraisers, attorneys, trustees or others;
- c. The LSA is binding upon and shall inure to the benefit of the parties' respective successors and assigns;
- d. The Loan servicer will exercise its business judgment in taking steps to collect payment from the borrower under the note should the borrower fail to make payment as required by the note;
- e. The holders of 51% of the beneficial interests in a Loan may terminate the Loan servicer, for cause only;
- f. The Loan servicer may accept a discounted pay-off or short-sale upon the



1 consent of the holders of 51% of the beneficial interests in a Loan and that a  
2 Lender's failure to object to the discounted payoff of short sale is deemed to  
3 be a consent; and

4 g. The Lender is required to pay servicing advances "immediately or upon  
5 demand" by the Loan servicer.

6 62. In reliance on the Defendants' promised performance of their obligations under the  
7 LSAs, including, without limitation, those obligations set forth in paragraph 58 above, Silar, on  
8 behalf of its managed funds, financed approximately \$67 million under its agreements with  
9 Compass. All of Silar's interests with respect to Compass, and in and to the collateral that was  
10 pledged under the financing agreements, have been assigned to Silar and to Asset Resolution.

11 63. Also in reliance on the Defendants' performance of their obligations under the  
12 LSAs, including, without limitation, those obligations set forth in paragraph 58 above, Compass  
13 expended more than \$25 million of its equity to service the properties for the benefit of the  
14 Lenders, including advancing funds to, among other things, pay delinquent taxes, to discharge  
15 mechanics' liens, pay insurance premiums and the like.

16 64. Defendants, individually and through the LPG (including by ratifying its actions),  
17 by supporting and pursuing the actions of Cangelosi and others, have each breached their  
18 respective LSAs by, among other things: (i) purporting to terminate Compass as a party to the  
19 LSAs without cause; (ii) refusing to acknowledge Asset Resolution as a party to the LSAs; (iii)  
20 interfering, collectively and individually, with Compass' and now Asset Resolution's performance  
21 under the LSAs; and (iv) failing and refusing to pay servicing advances immediately and/or upon  
22 demand by Compass and Asset Resolution.

23 65. As a result of these breaches, Compass and Asset Resolution were deprived of the  
24 benefit of their bargain with respect to the LSAs.

25 66. Additionally, Compass and Asset Resolution have spent significant sums in  
26 performing their obligations under the LSAs, and those sums have been lost as a result of  
27 Defendants' breaches, as alleged herein.

28 67. Due to Defendants' conduct, Asset Resolution has been damaged in an amount in  
excess of \$10,000.00.

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68. Asset Resolution has been required to retain legal counsel to enforce its rights and seek recovery of all reasonable attorneys' fees and costs incurred in this action.

### **THIRD CAUSE OF ACTION**

**(Breach of Covenant of Good Faith and Fair Dealing – Asset Resolution against all Defendants)**

69. Plaintiffs reallege and replead each and every allegation of the preceding paragraphs as fully set forth hereunder.

70. Asset Resolution is the current owner of the rights under, and is a party to, the LSAs, and is the successor to Compass' rights thereunder.

71. Asset Resolution and each of the Hard Money Investors are contractual counter-parties to the LSAs.

72. Defendants, as parties to the LSAs, owed Compass and owe Asset Resolution a duty of good faith and fair dealing arising from the LSAs.

73. As alleged more fully above, Defendants breached the duty of good faith and fair dealing they owed Compass and Asset Resolution by:

- a. Purporting to terminate Compass as Loan servicer, without cause, and otherwise in violation of the terms of the LSAs;
- b. Making misrepresentations about Compass, Silar and Asset Resolution to other Lenders for the purpose of inducing those Lenders to breach their obligations under their own LSAs; and
- c. Acting generally and repeatedly and at least since March 2007 in contravention with the letter and spirit of the LSAs and in order to frustrate Compass' and then Asset Resolution's ability to perform under the LSAs.

74. As a result of the Defendants' breaches of the covenant of good faith and fair dealing implied in the LSAs, Asset Resolution has been damaged in an amount in excess of \$10,000.00.

75. Asset Resolution has been required to retain legal counsel to enforce its rights and seek recovery of all reasonable attorneys' fees and costs incurred in this action.

### **FOURTH CAUSE OF ACTION**

(Civil Conspiracy – against all Defendant members of the LLCs, LPG, L2L and other Lenders conspiring therewith)

76. Plaintiffs reallege and replead each and every allegation of the preceding paragraphs as fully set forth hereunder.

77. The Lenders, as individuals and as members of the various Nevada limited liability companies formed by Donna Cangelosi and as members of the Lenders Protection Group (LPG) worked in concert to deprive Compass and ultimately Asset Resolution of the Loan servicing rights acquired from USACM.

78. The Defendants worked together as a group with the intention to interfere and cause harm to Plaintiffs by, among other things, contacting borrowers and indicating that borrowers should direct their payments to L2L rather than to Compass, improperly refusing to allow Compass to renegotiate the terms of several Loans to avoid foreclosure, improperly refusing to accept valid purchase offers, refusing to fund advances as required by the LSAs, and attempting to terminate Compass as the Loan servicer without cause and in violation of the LSAs and several Bankruptcy Court orders.

79. Such actions were conducted with the objective of causing harm to Plaintiffs by interfering with the Loan servicing rights and interests in the various Loans that Compass and then Silar and Asset Resolution acquired from USACM. Defendants acted in concert with the intent to harm Silar's and Asset Resolution's interests by causing damage to the value of the assets purchased by Compass in the USACM bankruptcy case.

#### FIFTH CAUSE OF ACTION

(Concert of Action – against all Defendant members of the LLCs, LPG, L2L and other Lenders acting in concert therewith)

80. Plaintiffs reallege and replead each and every allegation of the preceding paragraphs as fully set forth hereunder.

81. The Defendants had an agreement among them and acted in conformity with that agreement when they committed they intentionally interfered with Plaintiffs contracts with other Lenders.

82. The Defendants acted pursuant to a common design to derail the efforts of Compass

1 and ultimately Silar and Asset Resolution to service the various Loans in which Silar had invested  
2 by, among other things, contacting borrowers and directing those borrowers to make all future  
3 Loan payments to L2L instead of Compass, improperly attempting to terminate Compass and now  
4 Silar and Asset Resolution as Loan servicer without cause, improperly refusing to accept  
5 legitimate purchase offers, and refusing to fund advances as required by the LSAs.

6 83. As a result of Defendants' conduct, Plaintiffs have been damaged in an amount in  
7 excess of \$10,000.

### 8 **SIXTH CAUSE OF ACTION**

9 (Conversion – against all Defendant members of the LLCs and LPG)

10 84. Plaintiffs reallege and replead each and every allegation of the preceding  
11 paragraphs as fully set forth hereunder.

12 85. Defendants committed a distinct act of dominion over Plaintiffs' personal property  
13 when the Defendants contacted borrowers and directed the borrowers to no longer send Loan  
14 payments to Compass, but to direct all payments to L2L.

15 86. Such conduct was inconsistent with Plaintiffs' rights to service the various Loans  
16 embodied in the Loan servicing agreements and USACM's confirmed plan of reorganization and  
17 caused severe damage to the value of the assets purchased by Compass and now owned by Asset  
18 Resolution.

19 87. Defendants acts were in defiance, derogation or exclusion of Plaintiffs' exclusive  
20 rights to service the Loans.

21 88. As a result of Defendants' conduct, plaintiffs have suffered damages in excess of  
22 \$10,000.

### 23 **SEVENTH CAUSE OF ACTION**

24 (Intentional Interference with Contractual Relationships – against all Defendant members of  
25 the LLCs and the LPG)

26 89. Plaintiffs reallege and replead each and every allegation of the preceding  
27 paragraphs as fully set forth hereunder.

28 90. Asset Resolution, as the current owner of the Purchased Assets, acquired the rights  
previously held by Compass and USACM to service the Loans pursuant to the various LSAs, for

1 the benefit of over 3,000 Lenders with interests in various USACM brokered Loans.

2 91. The Defendants, in their capacity as individual members of the various LLCs  
3 formed by Donna Cangelosi and as members of the LPG were aware of Plaintiff's contracts with  
4 the remaining Lenders.

5 92. These Defendants, as members of the LLCs and LPG committed intentional acts  
6 intended or designed to disrupt Plaintiffs' contractual relationships with the other Lenders. For  
7 example, the Defendant members of the LLCs and LPG solicited further membership of the LLCs  
8 and LPG from various Lenders in an effort to terminate the Loan servicer and commence servicing  
9 of the Loans through L2L in violation of the LSAs. As previously stated, these Defendants also  
10 contacted the borrowers and directed them to make further payments to L2L and not Compass,  
11 again in direct violation of the LSAs that Plaintiffs had in place with other Lenders. This conduct  
12 interfered with Plaintiffs' own contractual rights to service the Loans on behalf of other Lenders  
13 under the LSAs. These Defendants' attempts to induce other Lenders to breach the LSAs and join  
14 forces with the LPG and LLCs also interfered with Plaintiffs' contractual relationships and  
15 interfered with Plaintiff's own rights under the LSAs to perform the servicing obligations and to  
16 collect the fees to which it is entitled thereunder..

17 93. As a result of this conduct, Plaintiffs have suffered damages in excess of \$10,000.

#### 18 EIGHTH CAUSE OF ACTION

19 (Alter Ego Liability – against Defendant Members of LLCs)

20 94. Plaintiffs reallege and replead each and every allegation of the preceding  
21 paragraphs as fully set forth hereunder.

22 95. The Nevada limited liability companies formed by Donna Cangelosi, were  
23 influenced and governed by Cangelosi and their Hard Money Investor members.

24 96. There was such a unity of interest between the Lender members of the LLCs and  
25 the LLCs that they are inseparable from one another.

26 97. The facts alleged herein are such that adherence to the fictional entities, i.e. the  
27 LLCs, would either sanction a fraud or promote injustice.

28 98. As a result of these actions, Plaintiffs have been damaged in an amount greater than  
\$10,000.



**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray for judgment against the Defendants, and each of them, as follows:

1. For general damages and loss in an amount in excess of ten thousand dollars (\$10,000.00);
2. For special damages in an amount to be determined at the time of trial;
3. For an award of compensatory, consequential, statutory, exemplary, and punitive damages in an amount in excess of \$10,000.00;
4. For reasonable attorneys fees, pre and post judgment interest, the cost of suit; and
5. For such other and further relief as the Court may deem just and proper.

DATED this 28<sup>th</sup> day of August, 2009.

Respectfully submitted,

GREENBERG TRAURIG, LLP

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